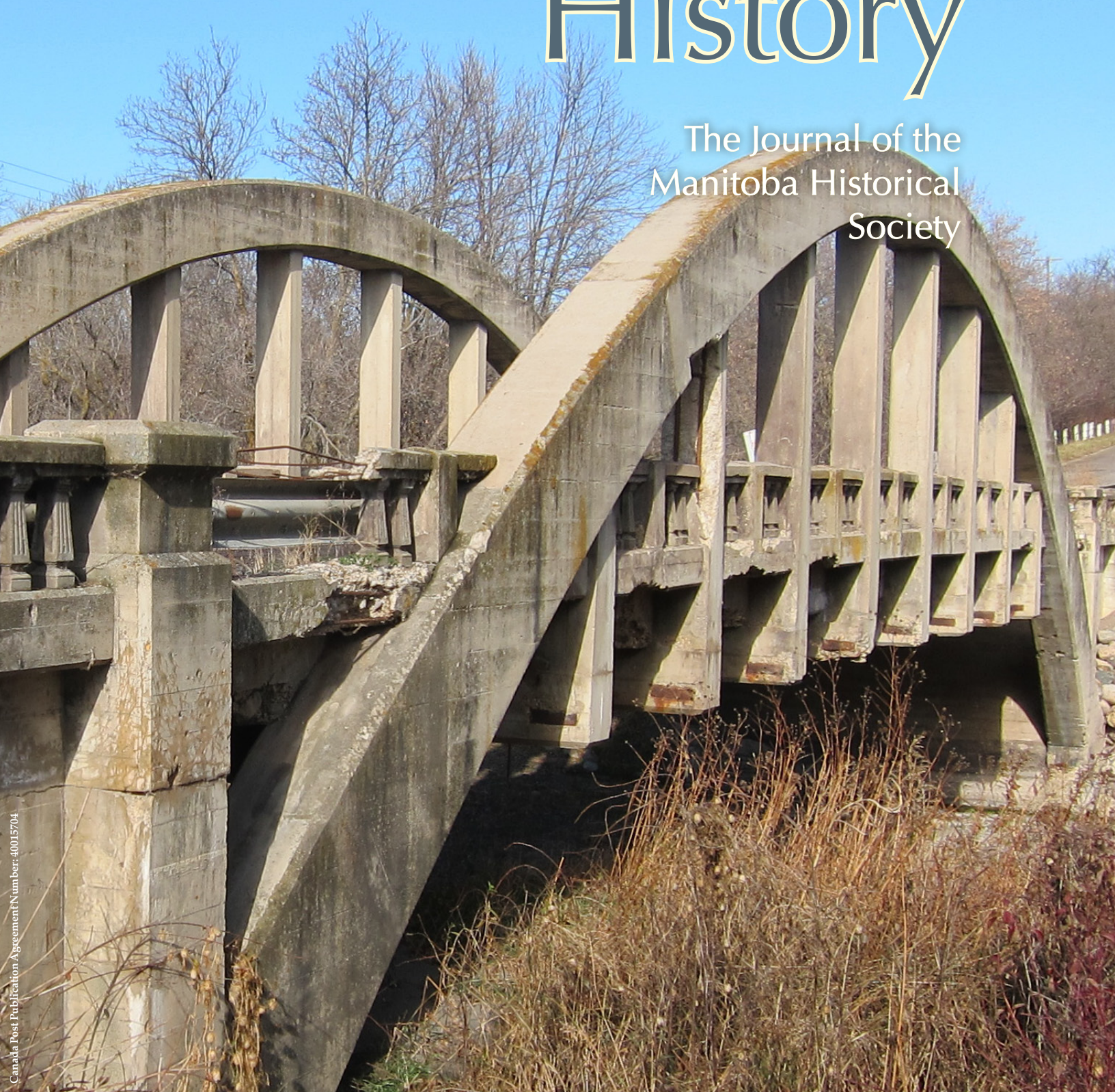


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Clearwater Concrete Arch Bridge.

Source: Gordon Goldsborough, October 2011.

Constructed in 1919 as part of a province-wide program, this graceful (albeit deteriorating) bridge at Clearwater, Manitoba is still in daily use.

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*"The hopefulness that fits the time, and bids
us ever forward tread, may choose with me
to look ahead, or love with me the glorious
past ..."*

Robert T. Anderson
Canadian Born, and Other Western Verse,
1913

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Governor William B. Caldwell's Souvenir: Exoticism and a Gentleman's Reputation

by Laura Peers, University of Oxford
& Anne Lindsay, Winnipeg, Manitoba

The extensive collections of the Cambridge University Museum of Archaeology and Anthropology include a remarkable object, a decorated and dried human hand.¹ The skin has been flayed to the final joints of the fingers, the fingernails are intact, and it is decorated at the wrist with silk ribbon appliqué and a feather pendant. It is a war trophy, of a kind found across the northern Plains in the context of inter-tribal warfare, along with scalps, finger-bone necklaces, and other culturally modified human remains. The hand trophy was donated to the Museum in 1907 by Robert Townley Caldwell, Master of Corpus Christi College at Cambridge, who said that it had been given to his father at Fort Garry in 1855.

Long before he became Master of a Cambridge college, Robert Townley Caldwell grew up in the Red River settlement. He was the son of William Bletterman Caldwell², a colonial administrator who arrived in Red River in 1848 as commander of a group of Chelsea Pensioners who replaced the 6th Regiment of Foot as a protective military presence in the colony. W. B. Caldwell was also Governor of the District of Assiniboia, a new post created to separate the administration of the colony from that of the Hudson's Bay Company (HBC). In theory, W. B. Caldwell represented

independent and impartial government in a Company-dominated colony. In practice, his salary was paid by the Company and, as W. L. Morton's biography of Caldwell notes, "the settlers continued to regard the governor and the Council of Assiniboia as creatures of the HBC."³ Caldwell's administration was highly criticized throughout his tenure until his departure for England in 1855.

The hand is a human relic deserving of respect, and a startling cultural object demanding attention, a compelling kind of historical evidence. It is a material form that makes visible the many sets of relationships and meanings around its making and collection. Considered carefully, the hand reveals a great deal about the people who made and collected it, and about the societies in which they lived: it is an object of history, a form of historical documentation, and we need to see it within the cross-cultural contexts from which it emerged.

The hand is especially interesting as a material witness to aspects of W. B. Caldwell's career and personality. Caldwell was neither an admired leader nor, by all accounts, a very good one. Alexander Ross—who, admittedly, was not lavish in his praise for many people—described him as "destitute of business habits, and of the art to govern."⁴ Caldwell had the misfortune of being in Red River during a turbulent time in which economic and social change intersected with vicious class and racial prejudice, and he did not rise well to the challenges he faced. He presided over both the Sayer and Foss-Pelly trials, and managed both situations poorly. In the days leading up to the Sayer trial of May 1849—an attempt by the Company to enforce its monopoly on the fur trade—feelings in the Settlement were running very high, particularly amongst Metis who were frustrated with the HBC's monopoly. Reading the mood of the settlers, Caldwell decided not to call out the Chelsea Pensioners to maintain order in the court or enforce an unfavourable verdict: as Morton notes, Caldwell sensibly decided there were not enough Pensioners to achieve order by force. On the day, the court was packed with Metis and there was a very real concern that they could not be controlled. The jury found the defendants guilty,

The extensive collections of the Cambridge University Museum of Archaeology and Anthropology include a remarkable object, a decorated and dried human hand.

Laura Peers has published on Aboriginal history and is interested in historic artefacts as sources for Aboriginal and cross-cultural history. She is working on a book exploring the material culture and cross-cultural relationships in the historic Red River Settlement. Dr Peers is Curator for the Americas collections at the Pitt Rivers Museum and a Reader in Anthropology at the University of Oxford.



Anne Lindsay is an independent researcher and archivist based in Winnipeg. She specializes in research relating to Indigenous people, the fur trade and residential schools periods in western Canadian and national archives, as well as Indigenous archiving as it relates to self-determination.



Archives of Manitoba, Personalities - Caldwell, W. B., N19358.

William Bletterman Caldwell (c1798–1882) was an unpopular administrator of the Red River Settlement when he acquired a severed human hand in 1855 and eventually took it home to England, where his son donated it to Cambridge University.

but recommended mercy as they appeared to believe their actions were done with the blessing of the Company. The Metis realised that the verdict meant, in real terms, that the Company could not enforce its monopoly. The trial marked the effective end of the HBC's monopoly on fur trading. While he may have exercised some sense in not calling out the Pensioners to keep order, "Caldwell emerged from the affair with the reputation of being a weak and ineffectual governor."⁵

Caldwell's leadership was far more inept during the Foss-Pelly trial. In 1850, amid a growing atmosphere of class and racial prejudice at Red River, mixed-blood Sarah McLeod Ballenden was accused of having an affair with W. B. Caldwell's second-in-command, Captain Christopher Foss. The trial that followed was highly irregular:

Because all the magistrates in the settlement refused to sit with him, Caldwell was forced to hold court alone. ...When the legal complexities overcame Caldwell, he called upon Adam Thom, the recorder, to assist him. Thom, who had advised Foss and Mrs. Ballenden before the case and strongly supported them, appears to have taken

every opportunity to ensure Pelly's conviction, including stepping down from the bench to testify on behalf of the plaintiff, before charging the jury. In the end, the court found in favour of Foss, and Caldwell awarded him damages.⁶

Caldwell was so unpopular in the Settlement after the Foss-Pelly trial that some five hundred of the English-speaking settlers petitioned the Company for his removal.⁷

He was replaced in most of his duties by Eden Colvile, who arrived as Governor of Rupert's Land in August 1850. Colvile took over as president of both the Council of Assiniboia and the General Quarterly Court, and managed to restore some peace to the community.⁸ Despite public sentiment against him, William Bletterman Caldwell remained in Red River as Governor of the District of Assiniboia, and was promoted to lieutenant-colonel in 1854. In August 1855 he returned to England, and retired from the army in 1857.⁹ He was called before the select committee of the British House of Commons held in 1857 to investigate the renewal of the HBC licence, and gave evidence favourable to the company. He died in London in 1882.

It was in the aftermath of the disastrous events of 1849–1850, in the context of public disfavour with Caldwell, and in the knowledge that he was returning to England in 1855, that Caldwell acquired the human hand and took it back to England with him. The story that Robert Townley Caldwell gave to the Archaeology and Anthropology Museum at Cambridge in 1907 when he donated the hand was that it "was given to my father when we were at Fort Garry in 1855, by a friendly Indian, I forget whether a Chipiwyman [*sic*, referring to Chippewa] or Saukteaux who had probably himself scalped the original owner of the hand." It's a nice story: a gift from a friendly Indian, from a "savage" to the governor, in the context of a frontier community. Given Caldwell's weak leadership, though, and his even weaker reputation in Red River, the story seems unlikely. It may have been an attempt by Caldwell, or by his son,

Caldwell was so unpopular in the Settlement after the Foss-Pelly trial that some five hundred of the English-speaking settlers petitioned the Company for his removal.

to put a different face on Caldwell's reputation. Also, the story about the "friendly Indian" was recounted decades afterwards by a son who had been 15 years old in 1855, who may not have been entirely aware of his father's reputation or of other ways in which the hand might have come into his father's possession.

Many British people who lived in Rupert's Land acquired souvenirs before going back to Britain. Most of

these items were small personal or domestic pieces such as moccasins, bark baskets, and mittens.¹⁰ The decorated hand is not such an innocuous souvenir, nor were items such as this produced for sale. Given Caldwell's poor relationships with various groups in Red River, it also seems unlikely that a friendly Indian came up to the Caldwell residence and gave this item either as a simple present or as a gesture of respect. The story that Robert Townley Caldwell told is too nice, and we need to look at it critically. As Laurel Thatcher Ulrich has demonstrated, exploring the histories and meanings of objects, putting them back into history, provides a concrete way to interrupt the nostalgic gloss we often put on colonial history, making the stories we tell more complex.¹¹ When he donated the hand in 1907, Robert Townley Caldwell was Master of a Cambridge college. There are many reasons he may have wished to donate the hand to a museum at his university, and to tell a nice story of its acquisition. There are other stories surrounding the hand, however, other meanings and contexts to this powerful item, that deserve attention.

In some ways, it should not be surprising that a person such as Caldwell, in a position of public authority, in such a multicultural community, should have acquired the hand. Caldwell was, in effect, the Colony Governor, and although the nature of his position was new, he was taking on aspects of a role in the settlement that had been established by Miles Macdonell as long ago as 1812.¹² From the beginning, Colony authorities had established formal alliances with local Ojibwa people: Peguis was named the Colony Chief during the settlement's early troubles, and given a peace medal by Selkirk in 1817, to encourage his protection of the vulnerable settlers. Annual gifts were also made to Peguis (until his death in 1864) and other signators of the 1817 Selkirk treaty (at least until the 1850s), a custom derived from Ojibwa culture which became part of fur trade practice as a way of renewing alliances between Ojibwa people and the Colony.

The careful, continuous maintenance of these relationships over decades meant that a significant gift, associated with warfare, by an Ojibwa man to the governor of Red River, was unlikely to have been either a simple or a friendly gesture. Such powerful and symbolic gifts—of sacred pipes, of human trophies, of tobacco—were used to create and renew alliances, to wipe away grief, and to remind the recipient of relationships and the responsibilities that came with them.¹³ In this context, the gift of the hand might have been a stark reminder that alliances worked both ways. The Black Man (*L'Homme Noir*), asked for aid from Macdonell in warfare against Sioux enemies in the settlement's early days, and the colony authorities were pressed for aid with both food and warfare on a regular basis thereafter.¹⁴ The hand trophy might have been acquired by Caldwell from an Ojibwa man as a reminder of the alliance, and a request for aid against the Sioux.

The hand trophy would have had significant meaning in Red River in 1855. Human trophies were a standard feature of inter-tribal warfare on the northern Plains.¹⁵

Fingers and scalps were the most common human trophies. They were used for rituals on returning from war, and were displayed afterwards in various ways: attached to tent poles, to horse gear such as bridles, or to graves. Sometimes necklaces including fingerbones, fingers, dried ears or other body parts captured in battle were worn by a man who had taken them as a representation of his physical and spiritual power.¹⁶ Scalplocks were also used as fringes on men's war shirts. Scalp dances were painted and sketched by early artists on the northern Plains, including Peter Rindisbacher,

Such powerful and symbolic gifts—of sacred pipes, of human trophies, of tobacco—were used to create and renew alliances, to wipe away grief, and to remind the recipient of relationships and the responsibilities that came with them.

Paul Kane, Karl Bodmer, and George Catlin. The taking, production, and display of such trophies appropriated the power of the deceased for the victor. Human trophies were public proclamations of men's physical and spiritual power, as well as the determination of a group to defend its members and to retaliate against enemy attacks.

Human trophies were therefore part of the inter-tribal warfare that characterized the Red River valley and its surrounding prairies and parklands from the mid-1700s until the 1860s. Everyone who lived in the area soon learned that, like crop failures and periodic floods, one of the ongoing realities of life in the area was the hostility between Ojibwa and Dakota peoples, which erupted into raids and pitched battles every few years. At Brandon House in 1816, Peter Fidler reported attacks on Ojibwa and Stone groups in which hands and feet as well as scalps were carried off.¹⁷ John Halkett (in the 1820s) and George Simpson (in 1841) both collected scalps in the Red River area¹⁸; and Peter Rindisbacher portrayed an Ojibwa scalp dance in the region.

Writing to Governor Caldwell in 1849, Alexander Ross mentioned Ojibwa with a Sioux scalp.¹⁹ Henry Youle Hind described scalps on Ojibwa graves in Red River in 1857-1858, and mentioned fingers of Sioux enemies taken by Red River Ojibwa in the mid-1850s. J. J. Hargrave, writing of an 1866 attack by Ojibwa on visiting Sioux at Red River, noted that "the bodies of the four murdered Sioux were horribly mutilated by their savage enemies in whose estimation the ears, nose, and fingers of a foe are of great price."²⁰

Entire hands were less common as trophies than scalps, but the practice of taking trophy hands is well documented for northern Plains peoples generally.²¹ The Earl of Southesk recorded "a human hand dried and stuffed" hung over the grave of a plains Cree woman at Fort Pelly in December 1859.²² In 1850, the Earl of Wharncliffe, like Southesk a

gentleman amusing himself hunting and travelling in the west, reported from Kittson's post at Pembina that:

having slept in our tent pitched in the quadrangle, we again went into the Chippewa camp, and Winny [Wharncliffe's companion Wenman Coke] bought a dried Sioux hand of an Indian. It was all skin, and looked as if it was stretched over the bones. The fingers were perfect, and the nails still adhered to the flesh. As a sight it was disgusting, but still very curious as this species of mutilation is unusual among the North American nations. I also bought a scalp from the Chippewa; one taken this last summer and it now hangs in my room.²³

Despite their being recorded less frequently than scalps, trophy hands were powerful symbols, and even imitation hand trophies could be used to invoke warfare: Frances Densmore reports a hand made from buckskin which was sent as a war summons by Ojibwa people in Minnesota during the 19th century.²⁴

The intensity of Ojibwa-Dakota warfare, and the taking of human trophies, increased across the 19th century. Ojibwa from the Red River area hunted with Metis relatives on the semi-annual bison hunts, and their mixed camps drew

Dakota attacks and often led to reprisals. In addition to their association with Ojibwa kin, Metis hunters came under attack by Dakota for their practice of using horses to hunt bison—a technique which Dakota (and other western tribal groups) felt chased the herds away, and which became a serious issue with the dwindling size of the bison herds. By the 1850s, the Dakota were directing hostilities at Metis camps over this issue, whether there were Ojibwa with them or not. The 1850s saw battles every year between Ojibwa/Metis and Dakota groups.²⁵ Such tensions were heightened by the Indian Wars across the American West in the 1850s as well—tensions that built continually in the Red River region until the Dakota Uprising of 1862.

This context of increasing warfare suggests possible meanings for Governor Caldwell's acquisition of the hand trophy in 1855. Both the documentation and the context of the hand's transfer suggest that it was taken from a Dakota man killed in battle by Ojibwa people. Gifts of such objects across cultures to individuals in positions of power are never politically neutral and never less than deliberate. Caldwell was the "Colony Governor," and in 1855, Ojibwa people were concerned about rising political tensions on both sides of the border.²⁶ In Red River, Ojibwa people were increasingly marginalized, socially and politically as well as economically. Fur harvests had collapsed; land



Archives of Manitoba, Hime, H. L. #20, N12555.

Photographer Humphrey Lloyd Hime (1833–1903) recorded a rare image of Aboriginal graves covered by split sticks during his visit to the Red River Settlement in the autumn of 1858, three years after Caldwell's departure.

and hay rights were contested in the settlement; the bison herds were obviously decreasing; constant warfare with Dakota—all of these things made for an uneasiness about life in the region. In 1857 and 1859, Peguis felt compelled to dictate letters to the Aborigines Protection Society, insisting that the Selkirk Treaty had been intended as a preliminary move prior to formal sale of the land and that the Ojibwa had not yet ceded their lands in the area. This was probably informed by the consequences of the 1851 Turtle Mountain treaty on the American side of the border, which was not ratified and resulted in the dispossession of Ojibwa people by settlers.²⁷ As well, tensions in Minnesota between settlers and Dakota were mounting across the 1850s that would culminate in the uprising of 1862.²⁸ Troops were also stationed at Pembina in 1855 to attempt to quell warfare between Ojibwa and Sioux, and acting as yet another manifestation of increasing colonial control of the area.²⁹ This was an unsettled and difficult time in the Red River valley.

Within such broader contexts, the gift of a hand trophy to someone in the position of Governor at Red River might well have carried several meanings: a call to war, a call to defend Ojibwa allies, a reminder of Ojibwa military power and of a tradition of alliance between colony and Ojibwa people. During the summer of 1855, however, when Caldwell acquired the hand, he was in the process of handing over power to his successor. The question of the hand's meanings hinges on the timing of this process: if Caldwell had already given up his office when he acquired the hand, it seems unlikely that the Ojibwa would have given it to him as a reminder of their alliance with the Colony or as an appeal for military assistance.

The timing of Caldwell's acquisition of the hand indicates that it had a different set of meanings, and relationships, however: it was almost certainly not given as a reminder of alliance or as an Ojibwa call for aid against the Sioux. Frances Godschall Johnson became assistant governor of Assiniboia on 19 July 1855, and was appointed governor on 26 November.³⁰ Sometime between early July and the 4th of August, the battle in which the hand was taken occurred. Reports began to circulate in Red River by 4 August about the battle, and Caldwell and his family, along with the Reverend Abraham Cowley, embarked in the boats for York Factory on 9 August. Caldwell had already handed over the reins to his successor, and embarked on final packing, when he acquired the hand.³¹

As a last-minute acquisition by Caldwell on the eve of his departure for England, the hand takes on another set of meanings. Remarkably, it features in several archival documents, suggesting that it was considered unusual and unacceptable for Caldwell to collect it. An account by Reverend W. H. Taylor, rector of St. James' Church in Red River, to a friend dated 7 August 1855 states:

I was told on Saturday that Col. Caldwell had bought from a French halfbreed the hand of a Sioux killed in this last affair at Goose River. He

was carrying it with him in a preserved state—the skin quite cutere—the nails etc trimmed off with Eagle's feathers—& making an ornament for the top interior of his tent. That any calling himself a Christian should feel any sort of satisfaction in such a thing is shocking.³²

This must be the same hand: the description matches the object (although it leaves out the silk ribbonwork): it seems unlikely that there were two hands collected by Caldwell in 1855. Reverend Taylor gives us several pieces of information: that Caldwell *purchased* the hand—a different thing altogether from being given it; that it was acquired not from an Ojibwa but from a Metis man; that it was the hand of a Sioux slain in a battle at Goose River; that it was intended by the maker as an ornament for the interior of a tent; and that Caldwell's acquisition of the hand was considered (at least by Reverend Taylor) as un-Christian and unacceptable behaviour. All of this, of course, is rumour rather than observation—"I was told"—but the closeness of the date of the letter to that of the acquisition of the hand, makes the information considerably more reliable than a family memory fifty years later.

There is a corroborating piece of evidence for Taylor's information. As the Caldwells were travelling from Red River to York Factory to embark for England, Reverend Abraham Cowley, who was travelling with them, wrote on 14 August that:

Yesterday the Colonel shewed me the skin of a Sioux Indian's hand taken as trophy in the late engagement between them & the hunters from the R. River. What a specimen of savage barbarity! The poor fellows who from our part fell into the hands of Sioux were I am told cut to pieces & hurled about in the air in an incredibly short time after the Sioux had rushed upon & taken them. The dark places of the earth are indeed full of the habitations of cruelty.³³

That Caldwell displayed the hand to Reverend Cowley on the journey suggests that it was accessible in the load, and therefore very recently acquired. Cowley's version of the hand's history also preserves the context of increasingly bloody warfare in the Red River Valley. "This last affair at Goose River" is quite specific. Goose River was an old boundary between Ojibwa and Dakota territory, and as such was a dangerous place: fur trader Alexander Henry noted that his Ojibwa guide refused to cross it.³⁴ Decades later, it was still a dangerous place, but hunters from Red River were compelled to go there in pursuit of the bison herds. As Taylor described at length in this letter, the summer bison hunt in 1855 was interrupted by an attack made by "Sioux Indians" at Goose River, with "robbery & loss of life."³⁵ This same battle is also mentioned in a letter written a few days after Taylor's, from John Swanston to William Smith: "...they were attacked by a large band of

Sioux, who it is stated killed a couple of our hunters and 4 or 5 Saukteaux Indians besides wounding about as many more, apart from this the Enemy stole 200 horses and from 30 to 40 [illegible] this unfortunate affair obliged them to abandon the chase..."³⁶

That Caldwell is said to have purchased the hand is interesting in several ways. He was about to leave Red River, and his perspective on events and culture in Assiniboa would have been shifting from that of an administrator, actively involved in law and politics, to seeing the place in memory, as a fascinating and exotic part of his former life.³⁷ As a potential souvenir of his time in Red River, the hand could not have surfaced at a more opportune moment. Like other gentlemen who retired to England and decorated the walls of their studies with exotic souvenirs, the hand trophy offered Caldwell an opportunity to enhance the presentation of his masculinity when he returned to England. Perhaps this was a balm for what had clearly been a disastrous time in Red River. Reverend Taylor was being naïve when he wrote to his friend "That any calling himself a Christian should feel any sort of satisfaction in such a thing is shocking." It was precisely the possession of "shocking" things in "civilized" contexts, separated by time and space, which enabled the construction of certain aspects of the retired colonial officer's identity.

Caldwell's life was lived within colonial army and administrative society and its conventions. His uncle was Major General Sir Alexander Caldwell, who had a distinguished career in India, and one of his sons married the daughter of Admiral Sir Arthur Farquhar. Caldwell would have had an army pension and lived, like many ex-army and colonial officers with whom he probably socialized, in comfortable but modest properties in middle-class neighbourhoods in London.³⁸ His sons did rather better: two became doctors, and a third became Master of Corpus Christi College, Cambridge.³⁹

In such respectable English social circles, with their class aspirations, social conventions, and family memories of military life in exotic places, the hand trophy would have been transgressive, a shocking thing in respectable houses, but also a symbol of the kind of shocking thing that such families had experienced in the colonies: a marker of a particular identity for people like the Caldwells. In the context of a London home, it would have represented the danger of the region through which the collector had travelled, and emphasized his masculinity and physical courage. For a man who had been vilified as weak and ineffectual, being able to display the hand might have been an opportunity to present himself as tougher than his reputation.

Whether using the hand as a claim to masculinity was justified in terms of Caldwell's life is another question, but such "souvenirs" were all the more satisfying for being shocking and exotic. Caldwell displayed the hand to Reverend Cowley en route to York Factory, provoking exactly the sort of gratifyingly disgusted response he might have hoped for. Once in London, the hand would

probably have been kept in Caldwell's study, as was usual for such souvenirs of "frontier" life, which served as a savage contrast to the civility of their new surroundings: "I also bought a scalp from the Chippewa," wrote the Earl of Wharncliffe in 1850, "and it now hangs in my room." There is no physical evidence that the hand Caldwell acquired was permanently displayed: its silk ribbons are not faded by light, for instance. It was probably kept in a box, and shown occasionally to male friends.

Reverend Cowley's, and Reverend Taylor's, disgust at the hand and its connotations remind us that it had slipped into yet another set of meanings, vastly different from those it had in its northern Plains context. While northern Plains cultures saw human trophies as a way of communicating male power and competence, colonial society saw such items as the quintessential symbol of "savagery".

These imposed meanings ignored a long history in Britain of state executions and deliberate dismemberment and display of the bodies of traitors. Drawing and quartering, beheading, and displaying the body parts of executed traitors in public places (on pikes on London Bridge; at scaffolds and crossroads), were all part of the enactment of centralized, military-backed power in Britain for centuries. Despite this, Aboriginal human trophy-taking and the ritual display connected with human trophies were used as "proof" of Aboriginal savagery during the colonial era. These practices were often cited as evidence that Aboriginal peoples were less rational, more emotional, less controlled, and less civilized than Europeans. As Reverend Cowley said of the hand, "What a specimen of savage barbarity! The poor fellows who from our part fell into the hands of Sioux were I am told cut to pieces & hurled about in the air in an incredibly short time after the Sioux had rushed upon & taken them. The dark places

It was precisely the possession of "shocking" things in "civilized" contexts, separated by time and space, which enabled the construction of certain aspects of the retired colonial officer's identity.

of the earth are indeed full of the habitations of cruelty." Similarly, the artist George Catlin stated that "There is no custom practiced by the Indians, for which they are more universally condemned, than that of taking the scalp."⁴⁰

Such attitudes were part of a larger process of "civilizing" Assiniboa by making Aboriginal production and display of human trophies illicit. As Laura Stoler has noted, training an anthropological gaze on the "policing" activities within colonial societies is productive: the tensions around what is perceived as inhuman, uncivilized, or newly criminalized behaviour are part of the ways that colonial relations of dominance are produced, by making some activities and identities and relationships acceptable across



Library and Archives Canada, *To the Oregon Territory 1845–1846 with Lieut. Henry J. Warre*, D. E. Schoenherr (ed.), 1976.

'Indian Family Moving Camp,' a sketch by Henry James Warre (1819–1898), a British military officer who passed through the Red River Settlement in June of 1845.

racial and cultural boundaries, and others unacceptable.⁴¹ Repugnance and the use of social censure in Red River were a large part of the colonial power structure there which eventually marginalized Metis and Ojibwa people: we need to pay attention to objects such as the hand which elicit strong emotional responses within such colonial situations.

Conclusion

The hand trophy represents some of the more difficult aspects of the past in the Red River valley and the broader northern Plains and Parkland region. Rather than ignoring such things because they are sensitive, however, we can work with them to understand a great deal about the past that we might not otherwise choose, or be able, to see. Treated carefully, the hand trophy forces us to consider the nature of relationships between peoples around Red River: both the differences amongst them, and the dense ties between them. It also allows us to see something of W. B. Caldwell's character.

The hand trophy emerged in a context of established inter-tribal warfare between Ojibwa and Dakota peoples into which Metis and non-Aboriginal incomers were drawn, and which they made worse. The Metis technique of hunting bison on horseback, which was thought to frighten away the bison herds, and the more commercial, larger scale of their hunting, was linked to the demand for pemmican, meat and hides by the settlement and by the trading companies: this was a local ramification of global trading systems.

It was also a manifestation of the problematic cross-cultural relations inherent in such larger trading systems and in the imperial processes of which trade was a part. Objects such as the hand trophy were used by non-Aboriginal people in the process of imposing European worldviews, and racist perspectives, in colonial situations. As Annie Coombes has noted for Victorian museum displays of African objects, the collection and display of ethnographic material, and the popular discourses surrounding it, served to highlight cultural and "racial" difference between British whites and Aboriginal peoples,

to confirm the notion of British superiority, and to justify colonialism.⁴² Displayed in a middle-class, respectable home, the hand trophy would have been an ideal symbol of exoticism, "primitivism," and cross-cultural difference, reinforcing the popular notion that Aboriginal people were savage and needed to be civilized.

As Dauntton and Halpern have noted, "British imperial power might be attained by force, either actual or threatened, but it was sustained by many other means. These might include trade or gifts, education and religious conversion, the incorporations of indigenous structures of authority within an imperial system, or the definition of the tribe as 'criminal'."⁴³ In 1855, all of these processes were at work in Red River, along with the process of exoticising and thus marginalizing Aboriginal cultures. Recategorizing Aboriginal material culture of warfare as exotic souvenirs, not to be taken seriously as works of art or technical skill or powerful demonstrations of masculinity, was yet another means of imposing power. Gentlemen's drawing rooms and studies, and museum displays, framed Aboriginal objects within European intellectual traditions and socio-political hierarchies just as surely as the construction of schools and courts did in colonial contexts.

By the fact of their collection and movement, however, objects also demonstrate the dense interconnections between peoples and places. The hand trophy is a layered record of relationships across cultures, across a man's career, across sets of expectations within British colonial society, and across continents. The fact that an object acquired at Fort Garry in 1855, within long-established political and social relationships, could end up in a Cambridge museum with an entirely different set of meanings attached to it—imperial, ethnological—says much about the complexity of cross-cultural histories and the movement of items such as the hand which reflect these. These complexities are reflected again in the history of the hand since it was donated to CUMAA: it has never been displayed. It exists within a small box in a storage area, a difficult, sensitive item within museum contexts that are themselves the product of the histories of British expansion. W. B. Caldwell's acquisition of the hand, R. T. Caldwell's story about it, and the various layers of the hand's history and changing meanings, make it an extraordinary document about its cross-cultural and imperial histories. 🐾

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Notes for this article
are available on the MHS website:

www.mhs.mb.ca/docs/mb_history/73

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to go directly to the notes.



Homicide on the Canada-US Border

by Harl A. Dalstrom

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Wednesday, 23 June 1937 would be a hot day for farm work in southeastern Manitoba. Nevertheless, that morning, eighteen-year-old George Klym, who lived on the family farm seven miles south of Sundown, cut hay along the undeveloped range line road allowance which separated the Klym property on the east from the farm of Onufry Mandziuk to the west.¹

George's father, John (Iwan) Klym, in his mid-forties, was born in Bukovyna (Bukovina) in 1891 or 1892, then in the Austro-Hungarian Empire and later part of Rumania, and now shared by Rumania and Ukraine. At age eleven, with brief formal education, he came to Manitoba with his parents who settled in the Gardenton area. The Klyms, like other persons from Bukovyna and Galicia in southeastern Manitoba, were of Ukrainian heritage. Getting established was difficult, and John recalled much privation in his childhood. He worked as a farm hand at Humboldt, Minnesota, in 1912 and, also had a job setting monuments on the international boundary. In 1914, John and his wife Mary (Maria) moved to his farm, acquired as a homestead in 1909.²

Ukrainian settlement in southeastern Manitoba began in 1896 around Stuartburn and spread eastward. Typical of this settlement, the Klym quarter-section was in the "transitional" or "parkland" area of timber, scattered rock, and wetland between forest to the east and the Red River valley to the west. Ukrainian newcomers downplayed the potential drudgery on such land, seeing good prospects for livestock production, access to timber, seasonal employment in nearby areas, and neighbours who were relatives or who shared old country ties.

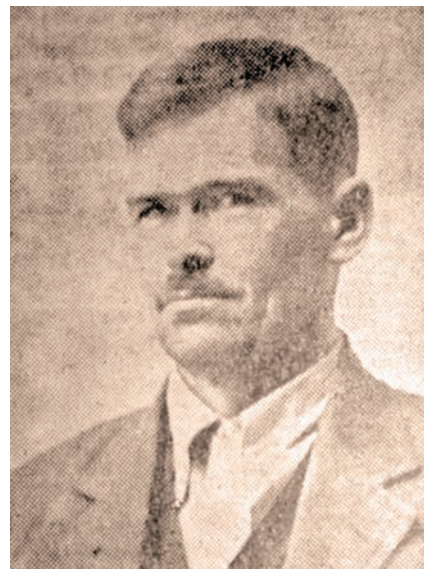
Just as he remembered the hardships of improving his father's "very wet and stony" land near Gardenton, John Klym found that developing his own soggy farm was a long-term chore. To make ends meet during the 1920s, he found temporary jobs in northwestern Ontario, including employment "as a cook on the coal dock" and work at the paper mill in Fort Frances. One winter, with his family nearly destitute, he got a construction job at a "powerhouse" site where, amid "rock and dynamite, death looked you every

moment in your eyes." However, his diligence and ability impressed his employer who gave him carpentry work, and in April he returned with \$170.00.

He also worked as a harvest hand in Manitoba, but with Mary's help in "clearing bush" and the kindly credit arrangements of an Arbakka, Manitoba, merchant, he slowly advanced.³ Klym praised the

farmers for whom he had worked for having given him sacks of grain and a piece of equipment in addition to his pay. For many years he used slow and recalcitrant oxen as work animals, but in 1929 he obtained horses and "then I considered myself a farmer and I really began farming." Klym purchased a hay press, and one year brought enough hay to ship "50 carloads" to Saskatchewan. He drained land and he later boasted, "I could raise nice grain. Sundown was a poor [agricultural] district but I had the nicest grain in the whole district." But the struggle remained hard, and as he remarked in 1937: "My farm is very heavy bush.... Last year I grubbed 12 acres [of] new land."⁴ Nine children were born to the Klyms, of whom seven were still living in 1937. Two daughters had married and moved away and five children, ages five to eighteen, lived at home. John Klym was a member of the Greek Catholic Church.⁵

Like John Klym, his western neighbour, Onufry Mandziuk, was of Ukrainian origin, born in Bukovyna and had resided on his quarter-section since 1930.⁶ Mandziuk was about forty years old and with his thirty-six-year-old wife Mary, an Austrian native, had four children, ranging from a baby to a fourteen-year-old.⁷ In 1931, Klym dragged part of the ninety-nine-foot road allowance between the two farms, dug a ditch, and planted timothy seed along it. The result was a north-south strip of grass which by 1932 provided Klym with hay.⁸ A trail—"only the semblance of a road"—ran along the northern part of the road allowance, but the southern part, marked at one point by "brush," was obscure.⁹



Roseau Times-Region, 18 December 1937, page 1.

John Klym as he appeared at the time of his murder trial in Minnesota.



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Adjoining Klym's property to the north was the quarter-section farm of John Nastiuk, also born in Bukovyna. Nastiuk came to Canada as a three-year-old, grew up in southeastern Manitoba, and gained title to his land in 1930 from a previous owner. However, in 1937 he said he had lived there "14 year [s]."¹⁰

An east-west road allowance abutted the south sides of the Klym and Mandziuk farms and the north side of the Canada-United States boundary. A trail ran along the boundary, and to the south lay Roseau County, Minnesota.¹¹ The area along the international boundary south of the Klym and Mandziuk farms was open land with some adjoining bush. As one observer said, it was "hay slough;" another person said, "It is a hay meadow, a swampy meadow..."¹² Looking eastward 325 feet from just south of the middle of the road allowance between the farms, a boundary marker was visible.¹³

A shared ethnic heritage did not make John Klym and Onufry Mandziuk good neighbours. According to Klym, Mandziuk had unsuccessfully attempted to purchase Klym's farm. Hence, in Klym's words, his neighbour had said that he would "chase me from my farm; he is going to buy [it] for tax sale."¹⁴ The road allowance between their farms was public domain, but farmers routinely regarded grass growing along allowances as theirs to harvest as hay.¹⁵ Trouble began when Klym and Mandziuk quarrelled over cutting hay along the middle of the road allowance, each believing that the other was crossing the midpoint and therefore trespassing. According to Klym, trouble began when Mandziuk cut hay across the centre in 1932 and that Mandziuk menaced him with a hay fork during a confrontation. A constable later admonished the men to stay on their respective sides of the middle of the allowance.¹⁶ More ill-will came when Mandziuk shot Klym's dog on grounds that the dog had harassed Mandziuk's sheep and had killed some of his lambs. Taking this episode before a magistrate, Klym sought recovery of damages from Mandziuk, but lost the action and "paid cost" for bringing the case.¹⁷ Klym recounted more troubles with his western neighbour. On the other hand, Mary Mandziuk remembered feeling unsafe because of their troubles with Klym. Her husband, she said, "he just say all the time that we have got to move from here."¹⁸

Klym's relationship with John Nastiuk, his northern neighbour, was also problematical. As Nastiuk would recall, he had told Klym that "his boy" was damaging his property. Nastiuk also believed that in 1936 and 1937 the police, acting at least partially upon information from Klym, had visited his farm seeking evidence that Nastiuk was a bootlegger. Nastiuk said, "We never had anything very bad between us." However, gossip seemed to do much to fuel neighbourhood animosities.¹⁹

About 1:00 p.m. on 23 June 1937, as John Nastiuk was repairing a gate, Onufry Mandziuk appeared and told him that the Klyms had just cut hay on the road allowance. Mandziuk invited Nastiuk to come and take some of the hay that he said had been "cut over my side of the road."

He anticipated that Klym might make an issue over the hay and said that he needed a "witness" in the event of a dispute. Nastiuk recalled that "I said I wouldn't take that hay," and told Mandziuk that he had not yet had "dinner," whereupon Mandziuk departed.²⁰ Nastiuk's wife apparently sensed trouble, and at her suggestion after lunch he went to the home of his neighbour to the west, Nick Dubnick, hoping to get him to go with him to Mandziuk's farm, only to find him absent.²¹

Going to Mandziuk's place, Nastiuk found Onufry Mandziuk, readying his horse-drawn hay rake. Nastiuk recalled advising Mandziuk to "leave that hay go." Mary Mandziuk, also worried, urged her husband to take some cream to town.²² But Mandziuk set about raking while Nastiuk, working north from the south end of the swath, piled hay. The Klyms saw what was happening and as Nastiuk worked about one-eighth of a mile north of the boundary, John and George Klym pulled up in their horse-drawn wagon.²³ John recalled asking Nastiuk why he was gathering hay, and saying that "If you were a right man you wouldn't come over here and make trouble." Nastiuk's reply, he said, was "'Well, he [Mandziuk] hired me,'" whereupon the Klyms drove off southward along the allowance.²⁴ Soon, Mandziuk, having finished raking and switching his rake for a wagon, drew up to Nastiuk and asked him to get aboard. Despite misgivings, he did so. They headed south, pursuing Klym's wagon which George was driving. In the background was Mrs. Mary Mandziuk, with her baby, walking from her home toward the road allowance.²⁵

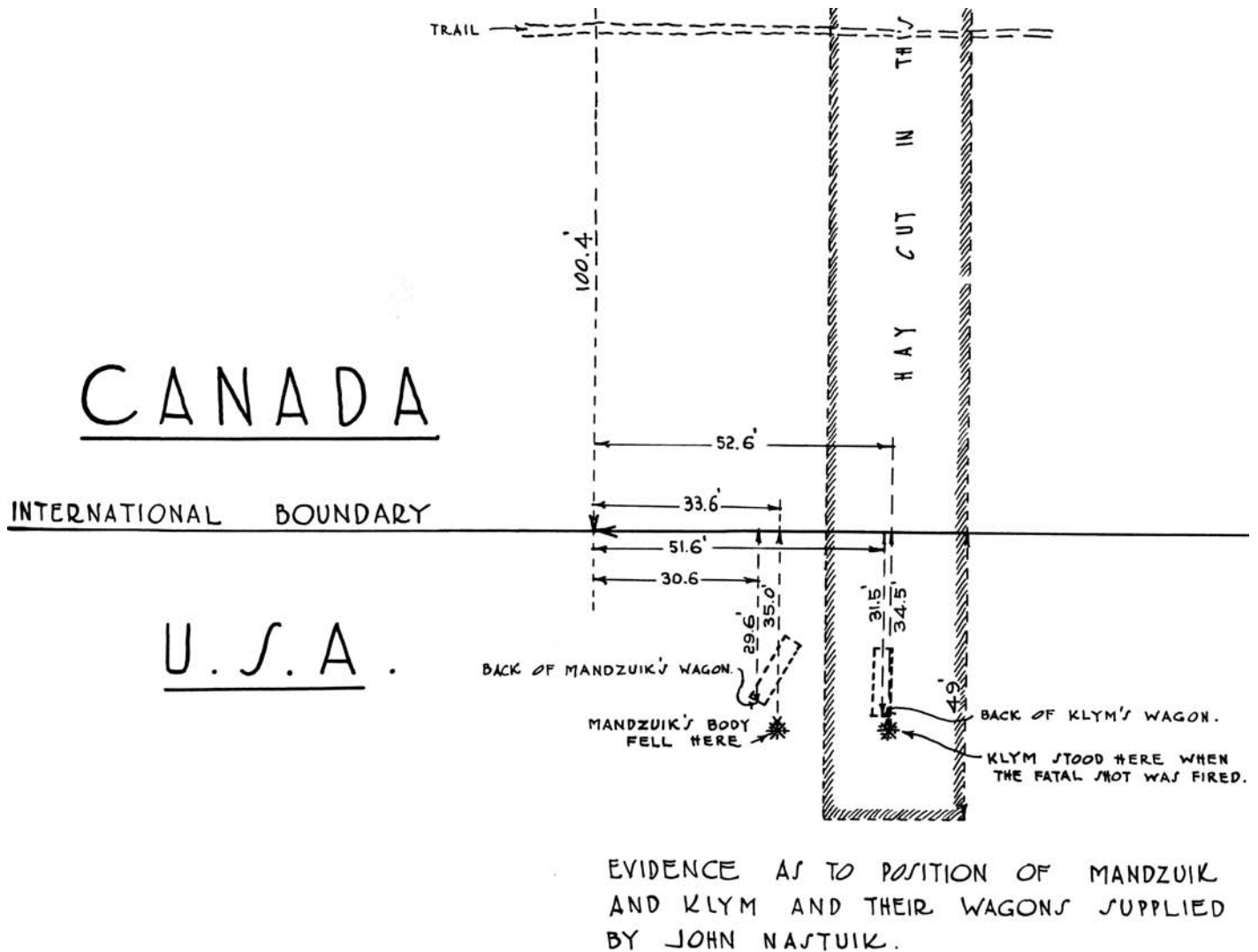
The Klyms stopped close to the last haycock; George turned their wagon around, and his father got off and began to fork hay from a meagre pile. Mandziuk and Nastiuk soon drew up on the other side of the scant remainder. Mandziuk dismounted, took a fork, and confronted Klym over the last bit of hay.²⁶ John Klym recalled saying, "you had better get out from here, I have a gun, and I am going to shoot you." Mandziuk, he said, replied, "I don't care, I want you to

A shared ethnic heritage did not make John Klym and Onufry Mandziuk good neighbours.

shoot me." Klym grabbed a twelve-gauge shotgun from his wagon. Mandziuk, he recalled, then "started to come to me with the fork,... he got within about four yards of me, and I shot him on the leg.... I was mad because they both wanted to kill me. He [Mandziuk] started to jump and shout, and I got on the wagon and went home. I saw Nastiuk and Mandziuk's wife driving Mandziuk home afterwards." It was now about 3:00 p.m.²⁷

Shortly after being shot, Mandziuk turned to the west and fell face down in grass adjoining the cut hay. Nastiuk tried to make a tourniquet of hay to stem profuse

Homicide on the Canada-US Border



H. Dalstrom.

The Mandziuk crime scene is shown on a portion of a blueprint prepared by surveyor G. A. Warrington on 28 June 1937. The vertical dashed line to which measurements refer was the eastern boundary of Section 1 in Township 1, Range 9 East PM. The mapped hay cutting area was located on the 99-foot road allowance between SE1-1-9E (the Mandziuk farm, at left) and SW6-1-10E (the Klym farm, at right).

bleeding from a wound above Onufrey's right knee which, as a physician later said, had "practically cut across" the thigh's principal artery. When Mary Mandziuk with her baby arrived, they used a diaper as a tourniquet.²⁸ Loading Onufrey in the wagon, they drove near the Mandziuk home where Mary obtained water which revived her husband. Going on to a shady place near Nastiuk's home, one of John's children summoned school teacher Nick Kassawan, who helped lift Mandziuk into Nastiuk's truck. In the meantime, Onufrey was "yelling." As Kassawan drove the nearly seven miles north to Sundown, Nastiuk told Onufrey, "I think Klym get it for this," and Mandziuk replied, "Don't forget to tell the truth." Nastiuk tried to refresh his neighbour with more water, but "He was getting pretty weak." At Onufrey's request, at Sundown, Nastiuk secured "a faster truck" to go the thirteen miles west to the hospital at Vita, where Mandziuk was admitted at 5:20 p.m. with an "almost imperceptible" pulse.²⁹

About 6:10 p.m., Nick Kassawan stopped by the office of RCMP Constable John D. Taylor, in Piney, east

of Sundown, and told Taylor that he had helped take Mandziuk to Vita. After phoning the Vita Hospital and learning that Mandziuk's condition was grave, Taylor drove to the Klym farm, where he met John who had just finished milking. Taylor informed Klym that he was arresting him for "unlawful wounding," adding that "a more serious charge" might follow.³⁰ He read "the customary police warning" to Klym:

You need not say anything. You have nothing to hope from any promise or favour and nothing to fear from any threat, whether or not you say anything. Anything you say may be used in evidence against you at your trial.³¹

According to Constable Taylor, John Klym "seemed anxious" to talk about the episode and that "his attitude was that he was more the aggrieved party than Mandziuk was."³² They then went to the area where the shooting had occurred and back to the farmhouse where Klym made

and signed a statement that he shot Mandziuk. However slanted, his concluding remarks revealed his long-festering relations with his neighbours to the west and north. In his words, “The reason I took the gun out on the wagon wa[s] because I knew that Mandziuk and Nastiuk wanted to make trouble for me when they came for the hay. They are always making trouble for me, and they say many times I am crazy.” After Taylor took Klym’s statement, he read it back to him and asked if he wished to sign the document and he readily did so. At his father’s request, George brought out the shotgun and a shell which Taylor took as evidence. George gave a statement to Taylor who then took John Klym to Sundown.

There the constable received a phone call from another RCMP officer, advising him that Onufry Mandziuk had died at 9:20 p.m. After telling Klym that he probably faced a murder charge, Taylor, likely hindered by conditions resulting from a violent storm that evening, drove him to the RCMP barracks in Winnipeg, arriving about 4:00 a.m. Later on the morning of 24 June, Taylor filed a murder charge against Klym.³³ On his own initiative, Klym then made and signed a supplemental statement about Mandziuk’s death:

I didn’t want to shoot him, I wanted to shoot in the ground to scare him. I was holding the gun pointed in his direction but towards the ground. I pulled the trigger. I did not want to hit him. I saw him jumping around. I thought he was jumping for fun and that I didn’t hit him.”³⁴

English was not Klym’s native language, but Constable Taylor later testified that “I have known him for over a year, and I have had many conversations, and I hadn’t any difficulty in understanding him, and as far as I knew he had no difficulty in understanding me.” However, upon Klym’s request, an officer read the charge, the police warning, and his own statements to him in Ukrainian.³⁵

That same day, RCMP Corporal William Milligan and another officer went with John Nastiuk to the crime scene. After Nastiuk identified the places where Klym and Mandziuk were standing, Milligan took photos of the two men standing in these positions some fifteen feet apart. Based upon his sightings of boundary markers and his projections from the border to the points where Klym and Mandziuk had stood, Milligan concluded that the crime occurred south of the international boundary. Recognizing his own limitations in such measurements, he advised his superiors to send a surveyor to the crime scene.³⁶

On 28 June, Milligan returned with Nastiuk and George A. Warrington, Chief Surveyor for the Manitoba Public Works Department. Warrington located the international boundary as it passed the site of the shooting between

boundary cairns to the west and east and other reference points. At the place that Nastiuk identified as where Mandziuk fell, Milligan found “what looked to me to be a quantity of blood soaked into the grass...” Milligan later said that he “dug a piece of earth” from the place that appeared to be blood-soaked, but if an analysis was made from this sample, it was not brought out in judicial proceedings. Warrington drafted a blueprint map indicating that Klym was 34.5 feet inside the State of Minnesota when he shot Mandziuk, who collapsed at a point thirty-five feet south of the border.³⁷

On 6 July, a coroner’s jury at Vita, after hearing testimony from the crime witnesses, police, and Warrington, found that John Klym had shot “from a point approximately thirty-five feet south of the International boundary line at a distance of fifteen feet from the deceased.”³⁸

Three days later, Roseau County Attorney R. J. Knutson filed a complaint before Justice of the Peace A. O. Hagen, alleging that Klym had “with a premeditated design” shot Onufry Mandziuk. Accordingly, Hagen issued a warrant for Klym’s arrest.³⁹

With Klym in custody at Headingly jail near Winnipeg, the State of Minnesota engaged Winnipeg attorney A. M. Shinbane, K. C., as its counsel in extradition proceedings. On July 19, Shinbane presented Hagen’s warrant and a letter from Knutson to Justice W. J. Donovan of the Court of King’s Bench, Winnipeg, and stated that Minnesota would seek Klym’s extradition.⁴⁰

It was late August before Minnesota Governor Elmer A. Benson, at County Attorney Knutson’s request, asked the U. S. Department of State to seek Klym’s extradition on a first degree murder charge.⁴¹ On 11 September, Knutson received an extradition warrant signed by President Franklin D. Roosevelt. The Secretary of State sent extradition documents to Norman Armour, United States Minister in Ottawa, for transmission to Canadian officials and for forwarding to Edwin C. Kemp, U.S. Consul General in Winnipeg.⁴²

In the meantime, with Justice Donovan serving as extradition commissioner, a preliminary hearing was held on 22 July in Winnipeg. At issue was the fact that although the shooting had taken place in the United States, Mandziuk had died in Canada. Winnipeg attorney Sam Greenberg, Klym’s counsel, argued that Canadian charges against his client should take precedence over the extradition request.⁴³ Why Klym fought extradition is perplexing, given the fact that life imprisonment was the maximum penalty facing him if convicted in Minnesota as opposed to a possible death sentence in Canada. Perhaps the answer lies in two points: Klym seemed convinced that he had acted in self-defense, and he later mentioned a 1922 case in his locale in which the person responsible for a homicide was exonerated.⁴⁴

On 23–24 September, Justice Donovan heard testimony in the Klym case. The *Winnipeg Free Press* declared that the court faced “a problem probably unique in Manitoba legal history and, so far as is known, with a set of circumstances never dealt with before by the courts of this country.” However, A. M. Shinbane, Minnesota’s counsel, said that conversations with Manitoba’s attorney general had led him to conclude that the Crown would “stay” its charges against Klym if the court granted extradition.⁴⁵

Although John Klym did not testify in his fight to avoid extradition, George Klym’s testimony sought to remove

At issue was the fact that although the shooting had taken place in the United States, Mandziuk had died in Canada.

some of the onus for the tragedy from his father. George took responsibility for having cut hay in the morning and in readying the farm wagon for the afternoon trek along the road allowance. He said that at the showdown, Onufry Mandziuk, wielding a pitchfork, moved toward his father who was bearing the shotgun he had removed from the wagon. Some “four or five yards” separated the men, and as Mandziuk advanced, John Klym was “stepping back north-east” and “fired.” George said that Mandziuk had “started to run after him [John Klym] with the fork,” but he later said that Mandziuk “jumped” toward his father. When asked about the proximity of the two men to the boundary marker that was visible to the east, George said that “My dad was north of the boundary line and Mandziuk was south.”⁴⁶

By contrast, John Nastiuk’s testimony portrayed the aggressive role of John Klym. Nastiuk said that as he and Mandziuk followed the Klym wagon toward the southern end of the swath of cut hay, John Klym raised his gun and declared, “Don’t come close. I am going to shoot.” As to the clash near the hay pile, Nastiuk said that he was so intent in watching John Klym get his gun from his wagon that he did not see what Mandziuk did with his fork, testimony that did not support George’s statement that Mandziuk had menaced his father with this tool. Nastiuk said that after Klym fired, “He say to me, ‘Don’t come close, or I am going to shoot you down, too.’” Nastiuk also recalled that as Mary Mandziuk approached, Klym said, “I am going to shoot you all down.”⁴⁷

Nastiuk testified that at the time of the shooting he thought that the incident occurred “right on the boundary,” but gave no thought to the matter “because I was kind of scared and excited.” He described the boundary as a strip of land denoted at points by cleared bush. The boundary marker to the east was visible, and he saw it as the mid-point of a strip belonging part to Canada and part to the United States. He had perceived the swath as an entity not

within either nation. As to the shooting, he said “I thought it was done between Canada and the United States.” Aside from George Klym’s testimony about the position of his father and Mandziuk in relation to the boundary, Nastiuk’s obliviousness to the border at the moment of the shooting probably held true for John Klym and the Mandziuks.⁴⁸

Sam Greenberg, Klym’s counsel, questioned whether Corporal Milligan was “qualified” to testify on the location of the boundary. He also challenged Warrington to prove that the nearest international boundary markers were correctly located.⁴⁹ But, as in the coroner’s inquest, their testimony, including Warrington’s map, was undoubtedly critical in leading Justice Donovan to conclude that the homicide took place south of the border and he ordered Klym’s extradition to Minnesota. Klym would be held at Headingly pending removal to the United States.⁵⁰

On 28 October, after time allowed for legal challenges to Justice Donovan’s decision and the receipt of an extradition order from Minister of Justice Ernest Lapointe, John Klym was taken to Roseau, Minnesota, and then to Crookston, where he was jailed pending trial. The following week, the Crown stayed proceedings against Klym.⁵¹ On 19 November, a Roseau County grand jury, after hearing testimony from key figures in the case, indicted Klym for first degree murder.⁵² Klym’s trial in the county seat town of Roseau would last from 14 to 17 December 1937, with County Attorney R. J. Knutson serving as prosecutor, Roseau lawyer Bert Hanson as Klym’s court-appointed counsel, and Judge M. A. Brattland of Thief River Falls on the bench.⁵³

Again, John Nastiuk’s testimony was critical and, while showing Onufry Mandziuk’s role in bringing about the episode, clearly portrayed Klym’s anger and aggressiveness. Describing his encounter with Klym as he was piling hay for Mandziuk along the road allowance north of the boundary, Nastiuk said that Klym “was so mad he start to swear and call me bad name and told me to go home.” He repeated his assertion that as John Klym went south in his wagon, he raised his gun and threatened to shoot if Mandziuk did not keep his distance.

Recalling the moments before the shooting, Nastiuk said that Mandziuk arrived at the last haycock where Klym had loaded almost all of the pile into his wagon. Dismounting, Mandziuk took a fork of hay to his wagon. This led to a brief, boisterous dialogue in Ukrainian. Klym threatened Mandziuk, who replied, “I am going to take some of that hay, anyway.” Klym then set his fork aside and got his gun from his wagon. Mandziuk responded, “You can shoot—go ahead, you can shoot if you have got right to.” Nastiuk, who had remained on Mandziuk’s wagon, said, “‘Don’t do that ... You can settle the thing some other way,’ but they don’t listen to me. He [Klym] just fire a shot ...”⁵⁴

Cross-examined by Bert Hanson, Nastiuk said that before Klym fired he took a few steps backward with his gun pointed downward. An important issue was whether Mandziuk threatened Klym with a pitchfork, but Nastiuk

again testified that he did not see what Mandziuk did with his fork after taking one scoop of hay. The fork, he said, was later in Mandziuk's wagon, but he did not know how it got there. Although Nastiuk said that he did not see Mandziuk make any move toward Klym with his pitchfork, Hanson asked him if he had not told a Sundown merchant on the night of the crime that Mandziuk had moved toward Klym with the tool. Nastiuk denied having said this, but the businessman, Nykola Eliuk, then testified that Nastiuk said that Mandziuk had, in Eliuk's words, "stepped into Klym with the fork." Eliuk did not clarify this comment beyond noting that Nastiuk said that Mandziuk had shaken the fork.⁵⁵

Mary Mandziuk recounted that she heard Klym "holler" even before he left his house in his wagon, and that as he approached the road he was speaking in both Ukrainian and English. As she put it, "He say, 'God damn, God damn. I am going to take that hay. God damn, God damn, I fix him,'" but when questioned, she said that "he didn't say anything about shooting." As to Klym's remark about taking the hay, she later stated that "he said that to himself." Mrs. Mandziuk, on foot when the two wagons reached the last haycock, said that she saw no pitchfork in her husband's hands at the moment of the shooting. She said that after Klym fired, "he was hollering loud. He said, 'There you got it. It hurts,'" and that when her husband, in pain, exclaimed "Eh, eh, eh, eh," Klym repeated this sound. To emphasize this point, prosecutor Knutson asked her, "Klym, he started to make the same noise just like your husband?" Mary Mandziuk replied, "Yes," and Knutson asked, "'Mocking' him, as we call it?" to which she said "Yes." Klym's counsel, Bert Hanson, unsuccessfully objected to what he saw as Knutson's "leading" questioning of Mrs. Mandziuk, but Knutson then asked her if John Klym made any remarks to her as he departed after the shooting. Her answer was: "'I am going to shoot all of you.'" ⁵⁶

After the prosecution had rested the state's case, Hanson put George Klym on the stand. Describing what happened just before the shooting, the younger Klym said that he did not hear his father utter any profanity. Mandziuk, he said, came to the haycock with a pitchfork "and he started to take the hay out of father's fork. And then he said, 'All right, shoot me, or we are going to shoot you.'" George said that Mandziuk, having seen the gun in the Klym wagon, moved to take this weapon, but "my father, he throw his fork and he took the gun sooner." Holding his gun, John Klym moved back, and in George's words, Mandziuk "jump after him with his fork in his hand." Having retreated "about six steps" with Mandziuk "running" toward him, Klym, his gun pointed downward, backed into a ditch, "and then the gun was fired." After the shot, "I told father to jump on [the wagon] and I was scared and we went home." George said that his father did not threaten Nastiuk or Mary Mandziuk.

In cross-examining George Klym, Knutson asked if he thought that Mandziuk "had been hurt" by the shot. George replied, "No," whereupon Knutson noted that in

the extradition hearing he said that he heard Mandziuk "holler" after being hit. George said that he could not remember this statement. Thereafter, he was battered by Knutson's questions, saying that he did not recall what he said in Winnipeg or in his statement to Constable Taylor. Knutson also used the extradition hearing transcript to discredit George's current testimony that his father had stepped in a "ditch." Perhaps bewildered, George did not say, as he had in Winnipeg, which his father was north of the boundary when he shot Mandziuk, but that he was "On the boundary line." After this debacle, Hanson asked him if he "fully understood" Knutson's questions, and he admitted that he had not grasped all of them. Hanson then asked, "In your locality and at your home what language do you generally speak?" George replied "Ukrainian."⁵⁷

John Klym testified to a scenario similar to that which his son had set forth. He also suggested that his purpose in going out in his wagon in the afternoon was to gather "old post[s]," but that he and George then saw Mandziuk and Nastiuk working with the hay. Fearing Mandziuk, he took his gun along because "I was scared... I thought if he... see I have a gun he don't come after me..." At the point of the showdown, Klym recalled that as he gathered the last of the hay, Mandziuk, using his own fork, "grabbed" this hay and put it on his wagon. "Then," said Klym, "he was coming with the fork up to me." Sensing that Mandziuk was about to make a fast move to Klym's wagon and seize the shotgun, Klym acted first, and "I just throwed my fork and grabbed the gun." Mandziuk kept coming toward him, and fearing his neighbour's pitchfork, he said, "Get away" or he would shoot. Klym said that as he walked backward, pointing his gun down, he stepped into a "furrow," and his weapon discharged. When Bert Hanson asked him if he intended to shoot, he replied, "No, I didn't intend to fire at all," adding that "I am sorry I did it." ⁵⁸

Later, Knutson recalled Corporal Milligan, and asked him if he saw "any plowed furrows" at the crime scene. He replied, "No,



Onufry Mandziuk (c1897–1937) as he appears on his gravestone in the St. Elias Ukrainian Orthodox Cemetery, some 30 feet from the grave of his killer.

sir, I didn't," and made it clear that he saw no ditch in the immediate terrain.⁵⁹ Given John Klym's strong intimation that stepping in a furrow had caused his gun to fire, Milligan's unequivocal statement on the absence of a furrow was important.

In the meantime, Knutson asked John Klym if his conflicts with Onufry Mandziuk had led him to fear "that he was going to kill you," Klym replied "Well, I just keep away from him," and that if he encountered Mandziuk, "I told him 'Good day,' every time and he don't answer to me. He was very mad at me." Klym denied having used the "bad language" that Mary Mandziuk attributed to him or having threatened her husband as the wagons moved south toward the boundary. In a confusing dialogue with the prosecutor he said that his weapon was loaded because "Before dinner there was hawks so I lay the shell there in the gun," but he seemed momentarily to deny this statement.

Surveyor Warrington and Corporal Milligan had stated that the swath of hay that George Klym had cut ran eight feet across the centre of the north-south road allowance. Moreover, John Nastiuk testified that Mandziuk had told him that "I don't touch any [hay] on Klym's side," adding, "I just want to take what belongs to me." However, when Knutson asked John Klym if at the time of the showdown he thought that his son might have encroached on Mandziuk's side of the allowance, it was clear that he had not done so. Strangely, Klym said that he would not have objected to Mandziuk taking hay "from the center" of the road allowance, but he admitted that he had not discussed this with his neighbour.⁶⁰

Knutson also asked Klym if he said anything after he shot Mandziuk, and he replied, "I didn't talk a damn word." Earlier, John Nastiuk had testified that Mandziuk had stood for a moment and "yelled" before turning and falling, but Klym said that after he fired, he was frightened and did not remember if Mandziuk uttered anything. Klym said that as he rode away, he saw Mandziuk "go to his wagon and talk to Nastiuk" and he denied having then threatened Nastiuk or Mary Mandziuk or having seen Onufrey drop to the ground. Klym admitted that after going home he did not ascertain if his shot had hit his neighbour. "I didn't think he get hurt," he said, but obviously anguished, he spent the next few hours "laying in the grass. I was scared. I was sick" Klym finally went to his house, shaved, and thought, "I want to go to Sundown ... report myself, ... and maybe he [Mandziuk] got hurt or something like that." He then did his milking, and as noted earlier, Constable Taylor arrived.⁶¹

Defense counsel Hanson called witnesses whose testimony was favorable to John Klym. Businessman Nykola Eliuk, a civic leader in Sundown, said that Klym had "a good reputation" and was a "good hard working man." Farmer Steve Sokliuk witnessed an encounter in which Mandziuk seemed to threaten Klym if he trespassed. Selmer Lind, a Roseau County farmer and hunter and the only American to testify, said that in March he had seen Mandziuk across the boundary "going to a hay stack" and

hailed him. When Mandziuk replied, "He said if I was Klym's boy, when I come over to the stack, I would have been dead. ... anyone, any animals or anything of Klym that got in on his farm, he said he will shoot it." Lind noted that "I told him it was dangerous to do it in that way."⁶²

After R. J. Knutson and Bert Hanson made their closing arguments, Judge Brattland told the jurors that their options were either to convict John Klym of first degree (premeditated) or second degree (unpremeditated) murder or acquit him on grounds of justifiable homicide. As to the last option, Brattland stated that the law held homicide to be justifiable "when there is reasonable ground to apprehend a design on the part of the person slain to commit a felony or to do some great personal injury to the slayer, and there is imminent danger of such design being accomplished." He added that "The law does not permit the taking of human life to repel a mere trespass as in this case" Judge Brattland denied Bert Hanson's request that the jury be given the additional option of finding Klym guilty of first degree manslaughter.⁶³

After deliberating about three and one-half hours, the jury convicted Klym of second degree murder. Before Brattland passed sentence, he asked Klym if he wished to speak. He replied, "No, I don't know. I can't talk very good English. ..." Brattland then sentenced him to life imprisonment "at hard labor" and he was taken to the State Prison in Stillwater.⁶⁴ The judge later noted that "Defendant's manner of conduct during the proceedings indicates that he is of a nervous, excitable disposition. He is bitter and resentful. ..." ⁶⁵

In March 1938, less than three months after entering prison, John Klym wrote in Ukrainian to Warden L. F. Utecht, blaming John Nastiuk for his plight. He said that

After deliberating about three and one-half hours, the jury convicted Klym of second degree murder.

Nastiuk induced Mandziuk to bring about a confrontation and that both men wished him dead. He contended that the two men were "in partnership," Mandziuk producing whiskey and Nastiuk making beer, while he did not use alcohol. Klym stated that Nastiuk was "drunk" when he encountered him on the road allowance. Showing the political tensions among Ukrainian-Canadians in the 1930s, he described Nastiuk and Mandziuk as "drunk Bolsheviks [who] did not want to work" and suggested that they envied his achievements as a hard-working farmer. He firmly maintained that the tragedy had occurred in Canada. Klym said that there had been a heavy rain on the night of 23 June and strongly suggested that his adversaries had later placed new blood and wagon tracks at the boundary area. He also attributed his conviction to not having a



D. Malaher

Looking toward the crime scene as it appeared in August 2010.

translator at his trial and asked the warden for a translator so that he could tell his story to Utecht.⁶⁶

In other letters written in Ukrainian, Klym repeated these arguments. For one he sketched the crime scene area, including the location of the shooting, but his muddled depiction of the boundary detracted from his argument.⁶⁷ Writing to the RCMP in Winnipeg, he said that when he went with Constable Taylor to the crime scene on the evening of the shooting, neither man saw any blood. Klym said that there was ample daylight, a contention that differed from Taylor's testimony at his trial. Probably to buttress his argument that the storm on the night of 23 June would have obliterated blood or wagon tracks, he said that rain began when Taylor took him to Sundown. Apparently referring to the subsequent drive to Winnipeg, he said that "the water was four inches deep on the ground. ..." Klym concluded that Nastiuk and Mary Mandziuk later made wagon tracks and placed blood at the supposed crime scene just south of the boundary prior to the June 28 investigation.⁶⁸

Indeed, on the evening of 23 June 1937, after the day's extreme heat, a severe storm hit southern Manitoba. Because precipitation amounts were highly localized, it is impossible to say if there was heavy rainfall at the crime scene.⁶⁹

Apparently writing to Judge Brattland, he depicted Mandziuk and especially Nastiuk as persons who did not represent constructive community values. He recalled that Mandziuk had boasted to him about his whiskey-making talent and that Nastiuk had erected a dance "platform" at his farm. Drinking was common at dances, and Klym asserted that Nastiuk "was angry at me because I did not send my boys to his place for drinks and tried to discourage others from excessive drinking ..." He also said that Nastiuk's promotion of communist literature had alienated "our teacher" and that Nastiuk "called me a capitalist because I would not order a bolshevik magazine."⁷⁰

Perhaps in light of R. J. Knutson's strong opposition, the State Board of Parole in April 1938 denied a clemency

request from Klym.⁷¹ The Klyms then engaged Grady & Grady, a Crookston law firm, to appeal his conviction. M. J. Hegland, a Roseau lawyer, joined them in the case. Judge Brattland rejected a motion from Klym's counsel for a new trial, but in late August Hegland and Grady & Grady submitted an appeal to the Minnesota Supreme Court.⁷²

In the meantime, Warden Utecht heard Klym's version of the shooting through an interpreter. Utecht, wishing to help Klym make his best case, passed this on to Grady & Grady, noting that their client "speaks very little understandable English." Contrary to his trial testimony and assuming no communication errors, he now said his shotgun was in his wagon because that morning he had decided to shoot a ground hog. Remarkably, Klym stated that the physician attending Mandziuk had told him that Mandziuk's injury did not seem to be life-threatening and that Mandziuk died, as Utecht phrased his words, "some days" after the shooting. As to the spot of "the accident," the warden said that "Klym insists [that it] was on the Canadian side of the line."⁷³

In Klym's appeal, his counsel portrayed Onufry Mandziuk as the aggressor in the incidents leading to the fatal encounter. This request for a reversal of Klym's conviction and a new trial centred upon two main arguments. First, the judge had erred and acted with "pontifical finality" in not permitting the jury to consider convicting Klym of first-degree manslaughter. A key point in this contention was that Klym had kept his weapon pointed toward the ground and had not intended to slay Mandziuk. Stepping "back into the furrow or ditch, his balance was disturbed," causing the gun to fire, which "would 'pull' the gun barrel upwards. ..." ⁷⁴ Second, Judge Brattland had in essence prevented the jury from considering evidence that Klym had acted in self-defense in carrying his shotgun in his wagon and in grabbing the weapon as he retreated from a fork-wielding Mandziuk. That Klym had a shotgun at the scene of the confrontation was probably not exceptional in the isolated "'frontier' community" where the incident unfolded.⁷⁵

On 2 December 1938, the Minnesota Supreme Court reversed Klym's second degree murder conviction and ordered a new trial. Basic to this decision was Judge Brattland's failure to give the jury the option of finding Klym guilty of first degree manslaughter. The justices found that "There was evidence tending to prove that Mandziuk charged toward Klym with his pitchfork held in a threatening manner." They also objected to that part of Brattland's charge to the jury in which he said that "The law does not permit the taking of a human life to repel a mere trespass as in this case." The words, "as in this case," essentially told the jurors that they could not consider the possibility that Klym acted in self-defense.⁷⁶

On 25 April 1939, Klym's second trial began in Roseau. Given the circumstances leading to the new trial, Judge James E. Montague from Crookston replaced Judge Brattland. Because Klym's former counsel, Bert Hanson had been elected Roseau County Attorney, J. J. Hadler,

Koochiching County Attorney, replaced Hanson as prosecutor in this case. A dispatch to the *Winnipeg Free Press* described the proceedings as “picturesque,” apparently because the Greek Catholic Church ritual was followed in swearing witnesses.

John Klym now used his ground hog argument for having placed his gun in his wagon. In a post-trial report to the Board of Parole, the prosecuting attorney dismissed this argument, saying that “A fair inference from the record would indicate that he placed the gun in the wagon box when he saw [the] deceased starting to take the hay.” In a similar report, Judge Montague observed that “his [Klym’s] claim that the gun went off accidentally because of his stepping into a furrow and losing his balance was not borne out by the evidence. ...” The prosecutor also made this point, adding that “The testimony of Klym and his son are lacking in candor and contain such improbabilities that the jury might well have found that they were willfully testifying falsely.” On the evening of 27 April, the jury, after lengthy deliberation between a second degree murder or manslaughter verdict, found Klym guilty of first degree manslaughter and Judge Montague sentenced him to five to twenty years’ imprisonment. “As the trial court told John at the time of the sentence,” recalled prosecutor Hadler, “he was very fortunate that he was not being tried in Canada—no doubt the Court having in mind that he probably would have been subject to the death penalty.” Klym was returned to Stillwater after having spent over two months in the Crookston jail awaiting the new trial.⁷⁷

John Klym’s plight brought polarized views of his community standing. After the first trial, County Attorney Knutson reported to parole authorities that he had visited with people in Klym’s area. His impressions reflected a significant cultural gap between Anglos and Ukrainians. Of the latter, he said,

These people live in a rather different stage of civilization than most of us are accustomed to encounter. They live in mud-plastered, thatched houses, with littel [*sic*] or no furniture, just as they or their parents lived in Buckowina. It seems that upon the least provocation they talk about shooting and killing. Upon the coming up of any argument whatsoever, it appears that threats of killing are made.

Knutson said that during these visits he had heard an unverified report “that Klym’s family had made threats to shoot Mandziuk’s family.” In arguing against parole, Knutson noted that after firing his gun, Klym did not ascertain if Mandziuk had been hit nor did he make an effort to provide assistance.⁷⁸

A May 1939 report—apparently the work of J. J. Hadler—said that the author, in interviewing many persons, found that “The reputation for peace and quiet of both [Klym and Mandziuk] was not 100%,” but that “the reputation of Mandziuk seemed to be a great deal better

than that of Klym.” The document noted that Klym had been “convicted of a simple assault in Canada for assault upon his neighbour’s wife.” This report also pointed out that Klym had not tried to help Mandziuk after the shooting. In June 1940, Hadler said, “I would think it would be a miscarriage of justice to commute his sentence.” Judge Montague made a similar statement.⁷⁹

By contrast, two persons who had testified favorably about Klym’s reputation at his first trial repeated their positive judgments in letters to the Board of Parole in 1938. Later, Bert Hanson gave his insights on John Klym’s place in the Sundown area Ukrainian community:

Both Mr. Klym and the deceased were born in Austria and came from the province of what is known as Ukrania. They are not well educated but I would not say that they are illiterate. They are hard-headed, stubborn people and believe that what is theirs is theirs and no one else must molest it.... I learned while investigating this case that Mr. Klym was one of the hardest working men and had one of the finest farms of any of those living in this vicinity. He was fair and square in paying his bills and I would say that he was possibly more highly respected and had a better reputation for being quiet and peaceable than the deceased.⁸⁰

In March 1940 the Board of Parole continued Klym’s prison term for four years. Klym frequently sent his wife small sums of money, apparently from his earnings that had been placed in the prison’s Social Welfare Fund.⁸¹ Although John Klym had little formal education, he carried on a good bit of correspondence, was interested in learning, and studied English “in evening school.”⁸² Between 1941 and 1943 he wrote letters in English to the Board of Parole seeking a hearing. As in the past, he portrayed John Nastiuk as the moving force in his fate. The shooting, he said, “was done accidentally by... fear at home in Canada[,] not at Minnesota.” He repeatedly said that that he had been found “not guilty” in Canada and that evidence based upon a “false map” had led to his conviction.⁸³ His wife joined in his parole effort, stressing the hardship that her husband’s incarceration had placed upon their family.⁸⁴

In March 1944 the parole authorities continued Klym’s incarceration for three years, with a maximum term to end in December 1952, but this would prove irrelevant. In December 1943 he was hospitalized and tentatively diagnosed as having cancer. An operation in June 1944 indicated that he was suffering from cancer of the stomach and it was soon evident that his condition was terminal. The penal authorities seemed willing to allow him to return to Manitoba, but his condition did not permit him to travel. He died on 10 August 1944 in Stillwater and was buried in the St. Elias Ukrainian Orthodox Church cemetery at the hamlet of Sirko, less than a mile north of his farm.⁸⁵

In the legal proceedings on both sides of the border, John Nastiuk’s testimony was decisive, for he gave the

RCMP and surveyor George Warrington the details about the crime scene. In short, Nastiuk's testimony and Warrington's map brought John Klym's extradition and subsequent convictions. Following Klym's second trial, a report to the Board of Parole apparently authored by prosecutor Hadler described Nastiuk's testimony as "candid and persuasive." Yet Nastiuk and Klym had clashed, and Nykola Eliuk's testimony suggesting that Nastiuk had stated on the night of the crime that Mandziuk had menaced Klym with a pitchfork is troubling.

Klym's contention in his first trial and after that stepping into a furrow caused him to shoot Mandziuk was unconvincing. It is noteworthy that he did not mention a furrow in his statements to the police. Likewise, his later contentions that he had placed his shot gun in his wagon to get rid of a hawk or ground hog did not square with his original statement. His argument that he had been acquitted in Canada is inexplicable. John Klym's relations with Onufrey Mandziuk and John Nastiuk were deeply troubled, but his conspiratorial assertions about their conduct did not help him. Yet in answering a prison questionnaire he at least momentarily moved away from his self-righteousness. After his first conviction, his reply to the question, "What do you consider the main cause of your downfall?" was "Crime was committed in self defense," but responding after his second conviction he said "Temper."⁸⁶

Minnesota v. Klym dramatically illustrates the potential importance of where something happens and the dreadful consequences of unchecked animosities. If Klym had left his weapon at home; if Mandziuk had taken cream to town, or if Nastiuk had either stayed home or more vigorously admonished his neighbours to calm down, the tragedy might have been averted. John Klym was an able, diligent farmer who seemed to be winning a battle against environmental challenges that defeated many a borderland settler, making his story especially poignant. This said, Klym was able to present his sympathy-evoking story of life's struggles, something that Onufry Mandziuk could not do. Moreover, neither Mary Mandziuk nor John Nastiuk were in positions to respond to Klym's post-conviction allegations respecting their conduct.

John Klym's manslaughter conviction was appropriate and should have been the outcome of his first trial. Justice was done, but opinions differed as to whether Klym could use English well enough to serve his interests in court. As the extradition hearing closed, Justice Donovan asked Klym's counsel, "Does he understand English, Mr. Greenberg?" Sam Greenberg replied, "Not sufficiently, but I can explain it."⁸⁷ Klym's ability to understand court proceedings and hence his constitutional right to a fair trial was not raised as a point of law in his appeal of his first conviction. However, his counsel noted that Ukrainian was the "daily" language of the Klyms, Mandziuks, and Nastiuk, and that they used English "only with noticeable difficulty." Although Klym later made appeals in English to the Board of Parole, he mentioned his difficulty with

English and the fact that he had not received the service of an interpreter.⁸⁸

On both sides of the border in 1937, the right of a defendant in a criminal trial to interpreter service was much less firmly established than would be the case by the end of the twentieth century.⁸⁹ However, implementing the principle of fair trials for persons lacking fluency in the language of the court would be a huge challenge.⁹⁰ As in the Klym case, the ability of a defendant to speak and comprehend the language of the court may be difficult to ascertain.⁹¹

Finally, the tragedy of 23 June 1937 tells us something about rural life and medical emergencies. After the shooting, John Nastiuk, Mary Mandziuk, and teacher Nick Kassawan did their best to stem Onufrey Mandziuk's bleeding and get him to the Vita hospital quickly, but the journey took about two hours. At the coroner's inquest, a jury member asked Dr. Walter J. McCord, who saw Onufrey when he was admitted to hospital and who later performed an autopsy, if Mandziuk might have survived had he received optimum "First Aid." Dr. McCord replied, "If the hemorrhage had been arrested immediately, he likely would have lived."⁹² Of course, generations of advances in transportation, communication, and emergency medicine have made it more likely that a critically wounded person living in a remote place will survive. Still, medical services in remote areas remain a significant matter of public policy.

In the St. Elias Ukrainian Orthodox Church Cemetery, among other Ukrainian pioneers, John Klym rests some thirty feet from Onufry Mandziuk. Here too are Mary Mandziuk and Mary Klym who died in 1966 and 1982 respectively, and other family members. Visiting this beautiful place on a bright summer day one finds that two former adversaries share a peace that transcends troubles past.⁹³ ☞

Notes

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Notes for this article
are available on the MHS website:
www.mhs.mb.ca/docs/mb_history/73
or scan the QR code at right
to go directly to the notes.



F. Beverley Robertson: The Tragic Life of Poundmaker's Defence Counsel

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Modern commentators generally agree that the 1885, post-Riel Rebellion convictions for felony treason of chiefs Poundmaker, Big Bear and One Arrow and other Native leaders were unfair and unjust. Each of these three chiefs was sentenced to three years' imprisonment. None served his full sentence and all three died soon after their release. One Arrow was released to a hospital in April 1886 but died by the end of the month at age 76. Similarly, Poundmaker was released in March 1886, but the damage to his health from imprisonment proved fatal four months later at age 46. Lastly, Big Bear was released in January 1887 and died a year later, age 63. A fourth chief, White Cap, was incarcerated before his trial but then acquitted. Despite this more humane treatment, he died in 1889—four years after his trial.

History generally does not note that their youthful defence counsel, Francis Beverley Robertson, who is often criticized for not presenting a more effective defence, did outlive all four chiefs but still died within a decade after the trials. He died at an age younger than that of any of his Native clients at 43 after suffering Bright's disease—a morbid and usually painful kidney disease. Ironically at the 1885 trial of White Cap, the judge during his charge to the jury snidely referred to Robertson's youth: "... nor do I claim to be too old any day to learn, to be instructed in the law from my juniors, no matter how young."¹ Robertson could not let the jury hear this backhanded put-down without response: "Perhaps your Honor would like to know I am 35. I know it is young, but it is old enough with 11 years' practice at the bar to know something, and to do my duty. The crime of being a young man is one I am not ashamed of."²

While the lives, actions and trials of his Indigenous clients have been the subject of several articles, papers and books, the historical record contains little information about their attorney. This paper seeks to correct this omission and examines not only his life, but also examines suggestions

that he was ineffective and perhaps disinterested in conducting a proper defence.

Early Years

Francis Beverley Robertson was the son of a successful attorney, Thomas Robertson, who had a notable career both in the Canadian Parliament and the Ontario judiciary. Thomas was the eldest child of Alexander Robertson who migrated to Canada from Scotland in 1820 and Matilda Ann Simons, a daughter of Colonel Titus Geer Simons, a British loyalist who settled in Canada after the American Revolution. Thomas studied law under John Hillyard Cameron, partner to John Godfrey Spragge, whose daughter Francis Beverley would marry. Thomas became an attorney or solicitor in 1849, licensed to counsel clients and conduct legal transactions.³

Thomas then married Frances Louisa Reed on 13 June 1850. Both were 23 years old. She was the youngest daughter of Theodore "Yankee" Reed and Hannah Barnard. Yankee Reed, as distinguished from a long time tavern owner in Goderich known as Judge Reed, migrated from Acton, Massachusetts and purchased the wayside tavern at "the corners," the intersection of the original Huron Road and the London Road.⁴ It is said that "half of [Yankee Reed's] fame was on account of the beauty of his daughters."⁵ Unfortunately, no picture of Francis Reed Robertson survives.

After their wedding, Thomas and his bride settled in Dundas, a suburb of Hamilton where their first child Francis Beverley was born on 16 November 1851. Thomas was called to the bar as a barrister (courtroom attorney) of Upper Canada the following year. He served as executor to his father-in-law's estate in 1854 and that same year, he purchased more than an acre of land in Dundas, at 10 Overfield Street, just south of Governor's Road, where he built an elegant hip-roofed stone house that he named "Foxbar."⁶

The purchase seems timely as Thomas' second child, Victor Alexander, was born 24 May 1855. Sadly, their first daughter was born two years later and died four weeks after birth. Two other children completed the family, Henry Hyndman, born 5 April 1859, and another daughter Frances Barnard, born 9 December 1860. As the birth order suggests, Francis Beverley was close to his immediately younger brother, Victor. Foxbar would be the family home where these children were raised.

After Canada became a confederation in 1867, Thomas ran for the South Wentworth seat in parliament as a



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Library and Archives Canada, C1872.

A group photographed during the 1885 Riel Rebellion trial included (back row, L-R): police officer Louis Napoleon Blache, Father Louis Cochin, NWMP Superintendent R. Burton Deane, Father Alexis Andre, and lawyer Beverley Robertson; front row: Horse Child (youngest son of Big Bear), Big Bear, police officer Alex D. Stewart, and Poundmaker.

Conservative and a staunch supporter of John Macdonald's National Policy. He lost this 1867 election by 27 votes. At this point Francis Beverley was attending the United Common and Grammar school in Dundas when well-known educator John Howard Hunter was the principal. While at United, Robertson was awarded the Dominion Gilchrist scholarship, with "£100 sterling per annum for three years."⁷

University of London records indicate that Francis Beverley matriculated in June 1870 after receiving the ninth highest score that year on the entrance exam. In 1872 he took the Intermediate examination in Laws and according to University student records he was 4th in 2nd class in the Honours examination for jurisprudence and Roman law.⁸ However, the University records end there. They do not indicate that he ever took the second law exam in common law and equity, nor do they indicate that he actually graduated from the University of London.

We will probably never know why Francis Beverley apparently left the University of London without completing his studies. Perhaps his father Thomas needed him to help with his practice when he (Thomas) was appointed Queen's Counsel by the Earl of Dufferin in 1873. Thomas became a Bencher in the Ontario Law Society the following year. Thomas was then elected vice-president of the Society and served in that position until 1887.

Because Francis Beverley (known professionally as F. Beverley) was not a college graduate, he would have had to sit for a written and oral exam covering typical

university subjects including the classics (tested in Latin), mathematics, English, and history/geography.⁹ He must have successfully completed these exams because he was called to the Bar of Upper Canada on 10 February 1877. That same day, he petitioned to be called to the Bar of Manitoba.¹⁰ Manitoba was considered a new frontier of opportunity. His future partner in Manitoba, Colin Campbell, would later write to his fiancée:

I am going to go to Manitoba the reasons for this change are many chiefly the opportunities of advancement twofold more than here where everything is settled and it takes a long time to make that progress which ambitious young men are ambitious for.¹¹

At that time the number of lawyers in the Manitoba numbered just over 40 and the Law Society had just been formed. However, the "first benchers" were fearful of a huge influx of lawyers from other providences; so, they pushed to pass legislation that required every new Manitoba lawyer, regardless of experience, to take the full bar exam and serve one year in articles in Manitoba. These restrictions were heavily criticized by many including the Attorney General of Canada.¹²

In 1878, Thomas was elected to the House of Commons for South Wentworth and then re-elected in 1882. This coupled with the arduous Manitoba Bar entrance requirements may have delayed any plans Beverley had to move to Manitoba. Thomas and sons Beverley and Victor (a

solicitor) are listed in the 1879 Ontario Law list as practising as the firm Robertson & Robertson and this is repeated in the 1880 City Directory of Hamilton. The 1879 Ontario Legal Directory also lists the three of them practising in Hamilton and father Thomas associated with the firm of Robertson, McMurrich, Howard and Andrews in Toronto.¹³ The 1881 Canadian Census shows "Beverly F. Robertson, Barrester" [sic] living on 4 April in what appears to be a boarding house run by William and Katherine Herman.¹⁴ This location is in the same census district as Foxbar House where the rest of the family lived on that date according to the census. Frank's brother Victor was identified at Foxbar as a solicitor and youngest brother Henry as a law student.¹⁵ In 1882, the year Victor was called to the bar, Thomas sold "Foxbar" and moved to "Rannoch Lodge" at 95 Arkledun Ave., Hamilton, which is where Thomas and son Victor are listed in the 1883-1884 Hamilton City Directory.

F. Beverley Robertson in Winnipeg

Robertson was first recorded in Winnipeg on 4 November 1881 when he appeared before Chief Justice Edmund Burke Wood at the Court of Queen's Bench of Manitoba to argue his first case involving railroads. His work for railroads would continue for many years. The case of *Dave Young vs. the Manitoba & Southwestern Railway* was a dispute about the appointment of company directors. According to the newspaper accounts, almost every lawyer in town was there and "Mr. Beverley Robertson (late of Hamilton, Ont.) ... entered the court loaded down with the weight of his responsibilities, and a brief in the case of Dave Young vs. the Southwestern Railway." Robertson represented one of the railway's directors, R. L. McGregor, and during argument he admitted that he was not a fully qualified member of the Manitoba bar, but asked to be heard as a matter of courtesy (which he was). However, his objection to the continuing injunction was dismissed.¹⁶

Later that month, the positions of Robertson and the Chief Justice were reversed. Robertson was one of two members of a commission (the other being Mr. Blanchard) and two reporters before which the Chief Justice appeared. The Commission of Inquiry was appointed by the Attorney General to investigate the administration of Metis infant lands.¹⁷ Some 1.4 million acres of land had been allocated to the Metis but land speculators were buying the claims before specific tracts of land were assigned to each claim. The land claims of Metis infants, or children under the age of 21, could be sold only through judicial procedure intended to protect the interests of the infants. The Chief Justice was accused of facilitating the sale of infant rights without regard for the best interest of the infants. Supporters of the Chief Justice accused Justice Miller of initiating these charges so he could become Chief Justice. In any event, subsequent legislation legalized all judicially sanctioned sales.¹⁸

Robertson appears to have been both a member of the Commission and its counsel. Perhaps he was appointed in part because his fiancée's late uncle, William Spragge,

was Deputy Superintendent General of Indian Affairs from 1862-1874. Having a father who was a Member of Parliament also probably aided him in gaining such an appointment. Robertson prepared a handwritten final report for the Commission of more than 30 pages. But when he attempted to present a summation to the Commission, the other Commissioners decided they had authority only to investigate, not to hear, the report. In the report, Robertson expressed his surprise that the Commission had to examine "alleged misfeasance" by a judge "affecting his good behavior as a Judge or his fitness to the judicial bench."¹⁹ The report notes that in at least twelve cases, the Chief Justice of Manitoba approved land sales for his son where charges for the sale were charged to the infants' shares which were then sold to pay off the charges.²⁰

The newspaper reference to Robertson as "late of Hamilton" and then to his serving on a Commission suggest that he had substantially moved to Winnipeg around November 1881. Indeed, he was called to the Bar on 10 November 1881 and was admitted on 8 June 1882 after passing the Manitoba Bar exam for out-of-providence attorneys. He apparently signed a one-year clerkship agreement with George Byron Philip the previous month as stipulated by the articling requirement.²¹ Restrictions for out-of-providence attorneys had finally been eased somewhat and the feared growth spurt of new attorneys did occur (in part because of a real estate investment boom), so that more than 200 signed the Roll of Attorneys in 1882. By comparison each of the preceding two years saw an average of 17 new attorneys signing the Roll.²² The *Canada Law Journal* noted in June 1882 that "probably Winnipeg has more lawyers to the square acre than any other place on the face of the earth."²³ Although Robertson was listed as residing at the Hamilton Club in the 1882-1883 Hamilton Directory (which was probably published before or very early in 1882), he seems to have lived in Winnipeg at least during most of 1882.

His first newspaper advertisement as a barrister appears in the *Winnipeg Daily Sun* on 15 February 1882. It incorrectly lists his first initial as "T." In the 18 March ad, this error is corrected, but his name continues to be spelled Beverly rather than Beverley. Both ads proclaim that he was offering \$100,000 from private investors to lend for real estate investments. This ad ran regularly through 4 July 1882. Thus, his first business in Winnipeg was to represent investors in the then ongoing real estate investment boom. The latter ads list his address of Room 24, Donaldson's block, Winnipeg and the City Directory published in July 1882 lists his address as 343 Main Street.²⁴ A week before his formal admission, on 1 June 1882, Robertson advertised his services as a barrister and still listed his office as Room 24, Donaldson's block.

According to a "Looking Backward" column in 1952, on 21 June 1882, the *Winnipeg Free Press* announced the name of a new law firm: McArthur, Robertson and Dexter. "The first two partners, the second one being Beverley Robertson, were described as already well-known and the H. J. Dexter

came well recommended from Toronto."²⁵ If Beverley joined this firm, his participation was short-lived. On 21 June, 28 June and 4 July 1882, he was running his usual "Money to Loan" ad with no mention of a partnership.

Francis Beverley Robertson married Eleanor Mary Spragge, the daughter of John Godfrey Spragge and Catherine Rosamund Thom in Toronto, on 19 July 1882 when they were 30 and 26 years old, respectively. There is little doubt their fathers were well acquainted after Thomas Robertson clerked for John Godfrey Spragge's partner. John Godfrey Spragge had been appointed the Chancellor of Ontario in 1869 (head of the court of Chancery), Chief Justice of the Court of Appeals in 1881, and the next year when the court was renamed the Supreme Court of Judicature of Ontario, he became the Chief Justice.²⁶

The newlyweds moved to Winnipeg. Robertson initially practised with Robertson, Andrews and Howard at 358 Main Street according to the 1883 *Henderson's City of Winnipeg Directory* and newspaper ads from October 1882 through May 1883. Howard and Andrews were two junior partners from his father's 1879 Toronto law firm affiliation. This partnership probably was arranged or at least facilitated by Beverley's father. It was short-lived.²⁷

Colin Campbell, an Ontario attorney nine years younger than Beverley, came to Winnipeg in 1882. Campbell initially joined the firm of Aikens, Culver and Hamilton. He was soon unhappy and started looking for other opportunities. He wrote to his fiancée Minnie: "in this Country it is everyone for himself and in doing so I am only doing what another would do. ..."²⁸ After he passed the Manitoba Bar at the same time as Robertson, he started a partnership with Herbert Bolster in August 1882, but that would not last a year.²⁹ In early 1883, Campbell recruited a Hamilton-based loan company away from Robertson, with the latter being quite "wrathful" when he learned the news. Robertson refused to hand over the papers until he heard personally from the company directors.³⁰

Shortly after this setback, Victor Robertson left Hamilton in April 1883 to practise law in Portage la Prairie, Manitoba with John Bodabee. At the farewell party, Thomas noted this was the second send-off for a son of his to the "great northwest." He had only one son left whom he hoped "to keep."³¹ On 1 May 1883, Victor visited his brother in Winnipeg on his way to Portage la Prairie. Victor arrived just in time to meet his new nephew, Alexander Godfrey Spragge Robertson who was born in Winnipeg on 23 April 1883.

The next month, Colin Campbell and Beverley Robertson put aside their past differences. They had been brought together through friends and agreed to form a new partnership. Campbell explained to his fiancée that as "a result of many circumstances, Robertson's firm

dissolved."³² Advertisements in *Winnipeg Daily News* indicate that Robertson, Andrews and Howard were still together on 26 May 1883, but from 12 June on, Robertson and Howard were left together at 358 Main Street, with G. A. F. Andrews advertising separately but at the same address. This continued until 27 June.

Colin Campbell reported to his fiancée that he and an old friend from Toronto, Horace Crawford, concluded a partnership agreement with Beverley Robertson on 19 June 1882.³³ In Winnipeg at that time, lawyers were judged not only by their skills, but also by their clients and partners. Campbell viewed this partnership as a "golden opportunity."³⁴ Campbell later explained the advantages

of the new partnership: "I will take Common Law or Civil Law and Commercial Department, Crawford the Chancery and Robertson insolvency and general work. We each get what we like and what each is best up in."³⁵ Furthermore, they all would draw clients from their different respective churches:

"Robertson is Episcopalian, Crawford a Methodist & myself a Presby."³⁶ At that time, Episcopalians and Presbyterians accounted for about 30% each of the population with Methodists for about 17%.

The 6 July 1883 *Winnipeg Daily Times* contained the first ad for "Robertson and Campbell" at 326 Main Street and the new partnership was announced in a notice on 9 July (Crawford would not be a partner until he passed the Bar in August when Robertson was away on holidays). Ads in September and October 1883 include all three partners.

The 1884–1886 Winnipeg directories list the firm of Robertson, Campbell, and Crawford at the corner of York and Edmonton. From the start, the firm was busy but Campbell seemed happy with his new situation. He wrote to his fiancée that everyone was working hard in early September. The firm obtained the Souris and Rocky Mountain Railway Co. as a client. The railway was chartered in 1882, so it may have been Robertson's client. It later endured the scandal of a lawsuit contending it had not paid its workers for a year and the claim that a member of Parliament had received a "gratuity" of \$386,000 worth of stock. In 1885, the railway was succeeded by the North West Central Railway.³⁷

On 10 September 1883, Robertson and his wife Eleanor travelled to Ontario. They had their six-month old son christened in Toronto on 26 September according to the family Bible. Robertson expected to be gone for two weeks, but Campbell did not think he would return until October. Robertson did return on 4 October.³⁸ But he was lonely without his wife. To compensate, he worked late and went out drinking with his brother who came for a visit. His brother showed signs of illness which may have been the inflammatory rheumatism that would kill him seven years later.³⁹

Restrictions for out-of-providence attorneys had finally been eased somewhat and the feared growth spurt of new attorneys did occur ... so that more than 200 signed the Roll of Attorneys in 1882.



R. D. Petty

Eleanor Spragge Robertson married F. Beverley Robertson at Toronto in July 1882 and came with him to Winnipeg. Here she is shown with one of her grandchildren.

In November, Campbell and Robertson were delighted to have won a case at no cost to their clients.⁴⁰ But by 22 December Robertson was quite sick, so that in the 2 January 1884 edition of the *Winnipeg Daily Times* he assured everyone that he was not “dangerously ill” as rumoured, but merely had a bad cold. He had recovered and was at that time conducting business as usual.⁴¹ It is possible that this announcement of a “bad cold” was a cover for the first attack of his fatal illness and Robertson wanted to keep his illness a secret. Business continued to be good according to Campbell’s letters to his fiancée, at least until the news in April that Eleanor’s father was quite ill. Robertson told Campbell he thought his father-in-law was dying and he was correct.⁴² He could not predict that his mother-in-law would die four days after her husband.

Robertson’s extensive absence from the office at this point appears to have caused some stress. Campbell noted on 24 May 1884 that Robertson had not yet returned, but “the firm is busy and I don’t care how soon he comes.”⁴³ Robertson returned to Winnipeg on 31 May and Campbell wrote that “I am not at all sorry. There is so much requiring his personal attention and we have been so busy since he left that Mr. Campbell is worked out.”⁴⁴ While Robertson may

have taken this extra time for family matters, he may also have been consulting with “the best medical authorities,” which one obituary suggested did occur at some point.⁴⁵

By June, Robertson was working hard at the firm and with Campbell had obtained a jury verdict in one case of close to \$3,000.⁴⁶ Unfortunately from a historical perspective, Campbell married his fiancée in the summer 1884, so the regular letters stop, resuming only when one spouse travelled. Campbell did seem pleased that Robertson “hoped we would be as happy in our marriage as he was in his and he offered to help in making arrangements.”⁴⁷

The year 1884 was not only the year that Colin Campbell married Minnie, but also the year Victor Robertson formed a partnership with W. J. James in Portage la Prairie.⁴⁸ He visited Winnipeg at least once in the next three summer months.⁴⁹ Eleanor was pregnant at that time and gave birth to Catherine Frances Eleanor Robertson in Winnipeg on 25 November 1884 according to the family Bible.⁵⁰ Also in the fall, four Winnipeg barristers were “gazetted” Queen’s Counsel. In an editorial in the *Manitoba Law Journal*, edited by John S. Ewart—one of the recent honorees, the unsigned editorial argued against the singling out of some barristers for “invidious distinction.” But the editorial concluded:

Without being, ourselves, invidious, we may perhaps venture to say that, if such men as F. Beverly (sic) Robertson, N. F. Hagel, or W. H. Culver do not recognize their inferiority to those above named, and therefore concur in the omission of their names from the present list, they have more than mere self-appreciation wherewith to back their opinion.⁵¹

Robertson and the 1885 Trials

In 1885 Robertson defended the Native people accused in the Riel Uprising. In July 1885, the head of the prosecution team, Deputy Minister of Justice, George W. Burbidge, was in Regina prosecuting the various defendants. He needed defence counsel to be appointed for the Native defendants before they could be prosecuted. He was given permission to hire anyone at the “ordinary fees.” While there were a couple of lawyers available in Regina, Burbidge chose Robertson and sent him a telegraph on 15 July 1885. He did not indicate why Robertson was selected but noted to the Minister of Justice that Robertson was the son of a Member of Parliament. Burbidge may have been familiar with Robertson’s work on the 1881 Commission of Inquiry concerning Metis infant lands and he may have sought someone who was not biased (or at least openly biased) against Native people.

Curiously, the telegram was received by Victor Robertson rather than Beverley’s partners. Victor volunteered to act in his brother’s place because his brother would not return to Winnipeg until 24 July. It appears that Victor arrived in Regina by 22 July and Beverley did return to Winnipeg and wired Burbidge that he was leaving immediately for Regina.⁵² Shortly after that, Victor

announced that he had been hired to assist his brother although he never appeared in any trial transcript.⁵³

There is no reason to believe that Robertson was selected because he was believed to be a marginal lawyer assuring victory for the prosecution. Although not Queen's Counsel, he was a credible selection as a capable attorney from a successful firm in the largest city in the Northwest. He also had worked hard on the Metis infant land inquiry, showing a lack of bias against Native people. Still, his performance during the Indian trials has been criticized on a number of grounds. Most obviously, he was successful in only one of the five cases in which he had acted as defence counsel. Some have suggested that he should have spent more time preparing for these cases.

The Native trials began on Thursday, 13 August 1885 with the trial of One Arrow. This trial was a "warm up" for both sides because it was followed the next week with the trial of Chief Poundmaker. Poundmaker was the most famous Native defendant and his trial attracted the most attention in the press. All of these trials were conducted

There is no reason to believe that Robertson was selected [to defend Poundmaker and others] because he was believed to be a marginal lawyer assuring victory for the prosecution.

before Magistrate Hugh Richardson. A prosecution team of attorneys shared the burdens of preparing these five cases, and in four trials two prosecutors shared the examinations of the various witnesses. Robertson had only some preliminary assistance from his brother, as well as from local counsel James Benson of Regina, to assist him in the Poundmaker trial.⁵⁴ Benson's name appears on the transcript but he neither examined any witnesses nor addressed the court or jury. In court, Robertson handled all aspects of the defence in all five trials.

In hindsight, it is easy to note from trial transcripts when Robertson appeared confused or unprepared and even to suggest weaknesses or omissions in the cases he presented. However, a more objective measure of his apparent effort can be made by examining the relative frequency of questioning during which he examined witnesses or argued with the court or opposing counsel outside of opening and closing statements. For example, in the trial of One Arrow, which lasted one day, the two prosecution attorneys asked 73 and 70 questions each of their three witnesses to establish their case of felony treason. While Robertson did not call any defence witnesses, he did ask 91 questions in cross-examination of the prosecution's witnesses. While not as many total questions as the prosecution, it was the prosecution who had the burden of proving their case. Ninety-one questions in a one-day trial suggests rigorous cross-examination.

Robertson also addressed the magistrate or his opponents 21 times compared to a total of 13 times for both of his opponents. This was a common feature in most of the trials suggesting that the magistrate favoured the prosecution's position and showed that Robertson was active in defence of his clients. In the trial of One Arrow, Robertson also argued at some length that the prosecution had, as a matter of law, failed to prove their case, but the magistrate refused to agree, holding that the prosecution had presented sufficient evidence that the jury should consider the case. The jury found One Arrow guilty of felony treason and he was sentenced the next morning to three years' imprisonment.⁵⁵

Three days later, Robertson stepped up his efforts for the most anticipated trial, that of Poundmaker. He asked nearly 850 questions of the witnesses compared to just over 470 for the prosecution. Again, this mostly reflects Robertson's role in rebutting the prosecution's case, asking detailed questions to cast doubt on the testimony of the nine prosecution witnesses. But Robertson also "out-questioned" his adversaries for his six defence witnesses. Robertson addressed the judge and jury 30 times compared to 19 times for the prosecution. While Robertson could always be criticized for not preparing a better case with more defence witnesses, his courtroom performance compared favourably to the three attorneys for the prosecution. The guilty verdict was frustrating for him.⁵⁶

After the Poundmaker trial, Robertson returned to Winnipeg. His daughter Catherine was christened on 24 August 1885 at the All Saints Church in Winnipeg. On 28 August, Robertson wrote D. L. Scott about the prosecution, noting that he was busy in Winnipeg until 7 September and had to be back in Winnipeg on 21 September. He requested that the remaining trials be scheduled between those dates, which they were.⁵⁷ It seems likely that he used this time to summarize the injustice of the Poundmaker trial for an editorial in a political and literary periodical called *The Week*. However, the editorial itself was signed only "LEX", so we may never know if Robertson was actually the author:

POUNDMAKER'S TRIAL

RIEL, the organizer and leading spirit of the North-West Rebellion, has been tried, convicted and sentenced to be hanged, and now everywhere men are discussing whether the sentence will be carried out or not. The Indian chief, Poundmaker, has been tried, convicted and sentenced to three years' imprisonment, and no one says a word in his favour, nor is there a question raised as to a reduction of his sentence. Poundmaker is a poor Indian chief, uneducated, ignorant even of our language, and without vote or influence. He was tried under a process he did not understand, by a race of strangers who had swarmed over a country once the sole property of his people. When arraigned, his pathetic remark, "The law is a hard, queer thing, I do not understand it," only raised a laugh among the idlers who thronged the court.



Archives of Manitoba, Personalities - Poundmaker #4, N16095.

Poundmaker was photographed at Stony Mountain Penitentiary during his incarceration from August 1885 to March 1886.

The prosecution endeavoured to establish their case against Poundmaker by proving four main points: — 1st, That he had signed a certain letter to Riel which incriminated him; 2nd, That he was at Battleford when it was plundered; 3rd, That he was present at the fight at Cut Knife Hill; and 4th, That he participated in the capture of the teamsters. The evidence produced in support of the case for the Crown, as far as can be gathered from the somewhat lengthy report in the *Toronto Mail* of the 24th and 25th August, seems to be very weak and inconclusive. The sole evidence of Poundmaker's responsibility as to the letter is that of Jefferson, the instructor, who wrote it. This man was an accomplice, and his evidence does not appear to have been corroborated. He would not swear that Poundmaker had dictated any portion of the letter, or that he had absolutely authorized him to sign his name to it. It would surely be very unjust to convict a man on the strength of a letter written by another in a language the prisoner did not understand, especially where there was a doubt as to whether the prisoner authorized his name to be attached to it.

The evidence for the Crown as to Poundmaker's conduct at Battleford shows that he came down, with other Indians of his band, to get food, but apparently with no intention of plundering. He shook hands with the white men he met, and acted in the most friendly manner, asking, with

evident surprise, why the town was deserted, and why the police were for fortifying themselves with the intention of firing on his men. He does not appear to have been even armed. He took no part in the plundering of the deserted houses and shops, but told the Indians "to stop breaking things." There is no evidence that Poundmaker was responsible for the plundering of Battleford. As to Poundmaker being seen at the battle of Cut Knife Hill, the evidence is that he was seen at the distance of fifteen hundred yards through field-glasses. If this be so, either the officer who saw him or Poundmaker himself must have been pretty well in rear of the fighting line. But Poundmaker admitted he was present, and claimed that he urged his people to cease the pursuit; and Father Cochin, who was present, corroborates this statement. Judge Richardson in his charge seems to attach some importance to the fact of Poundmaker's being present at Cut Knife. He must have forgotten that the Indians were all instructed to go to their reserves and stay there and they would be safe. Poundmaker was upon his reserve; the witnesses for the Crown say this explicitly; and his band was attacked there. There are conflicting statements as to who fired the first shot, but our troops marched upon them with infantry, cavalry, artillery and gatling guns in all the form of war, and the fight almost began by the shelling of the Indian camp. If Poundmaker was obeying the instructions of the Government in being upon his reserve, how can his presence there be a proof of treason-felony, unless he is proved to have participated in the fight? and of this there is no proof. But can a man, roused from his sleep by the bursting of shells, be blamed if he should try to defend himself? Father Cochin, a loyal man who was present, says that Poundmaker begged his people not to pursue our troops on their retreat, and prevailed upon them to stop. The circumstances all corroborate this statement. The only evidence as to the capture of the teams is that of James Shearer, who swore that he did not see Poundmaker when he was captured, but saw him afterwards in the camp; and there is strong evidence as to Poundmaker's kindness to the prisoners. In fact the whole testimony shows that a Half-breed and the Stoney Indians had incited the attack on the teamsters, that any hostile feeling was on the part of others, but that Poundmaker himself was uniformly using his influence in favour of peace and to prevent bloodshed. Considering the whole case, it is very doubtful whether there has not been a great injustice done to a man who was our friend throughout, and it is a question whether some effort should not be made to obtain a pardon for him.

Let another test be put to Poundmaker's conduct: Was it consistent with innocence? Assume for a moment that Poundmaker was a loyal, true friend of the Government, and yet had not absolute control over his people: what was there inconsistent with innocence in his going to Battleford for food, in his refraining from plundering, in his begging his people not to break things, in his friendliness to the whites he met, in his assurance that he meant no harm, and in the fact that he was unarmed?

What could an innocent man, ordered to go on his reserve, do more than Poundmaker did when he was attacked upon his reserve: which was to use his influence for peace and to save life the instant the necessity for self-defence ceased? When the move was made from Cut Knife Hill to join Riel a Half-breed took command, and Poundmaker, who wanted to go to Devil's Lake, was prevented, and obliged to keep with his band. He had nothing to do with the capture of the teamsters, but when they were brought in he took their part and treated them kindly. His was the influence that led to their being released, and his also was the voice that prevailed for peace and brought about the surrender of the band.

Canada has a great future before her, but she cannot afford to be unjust to a poor Indian because he has no friends and cannot appeal to public sympathy, save in the few dignified and manly sentences in his speech to Judge Richardson: "Everything I could do was done to stop bloodshed. Had I wanted war I should not be here now; I should be on the prairie. You did not catch me; I gave myself up. You have got me because I wanted peace." Every one of those sentences has the ring of truth, and yet this man is condemned as a felon to imprisonment for three years, and because he is an Indian not a voice is raised to say one word for him. LEX.⁵⁸

Big Bear was formally charged on 4 September, but his trial was delayed until after Robertson returned to Regina on 9 September. The trial of Big Bear began two days later. Robertson asked 525 questions of the witnesses and addressed the court 65 times. Prosecution asked 512 questions and addressed the court 28 times. Convinced he could not win any of the trials, Robertson announced toward the end of trial that he was requesting that the Minister of Justice relieve him of his defence counsel duties.⁵⁹ The Minister refused. On 25 September, Big Bear was sentenced to three years' imprisonment.

On 14 September, White Cap was put on trial. Robertson asked 181 questions and addressed the court nine times. Prosecution asked 239 questions and addressed the court seven times. Robertson's frustration showed in his address to the jury which was twice as long as the prosecution's address. Robertson explained it was an "almost hopeless task" to get a fair trial for an Indian from a jury in Regina. Of course, he nevertheless hoped that this jury would be fair-minded. He also challenged Judge Richardson's simplistically biased interpretation on the law of felony-treason that the Indians were guilty if they were "caught up" in events. Robertson argued instead that White Cap essentially was compelled to go to the rebel camp when they asked him to attend. All of this turned out to be successful. The jury deliberated only 15 minutes before declaring White Cap "not guilty."

On 16 September a group of nine men associated with Big Bear were charged and the trial was conducted until 3:30 pm. Robertson made little effort in this confusing trial (the defendants were referred to by number because

their names were a challenge for white counsel and judge). Robertson was out-questioned almost 5-to-1 and did not make a closing statement to the jury. He could not resist addressing the judge five times more often than the prosecution. The jury deliberated for an hour before pronouncing all nine men guilty but with the recommendation of mercy. The following day saw a similar group trial of five Indians. Robertson asked almost 100 questions in cross-examination of the two prosecution witnesses who told their stories directed by about 160 prosecution questions. Again, Robertson made no closing argument and the jury deliberated for only 30 minutes to find them all guilty, again recommending mercy.

Thus, Robertson's efforts show a great deal of variation. Initially, he worked hard and apparently hoped to make a name for himself with a successful defence of Poundmaker. He soon became convinced that he could not win, although he did win acquittal for White Cap after showing his frustration with his unfair task to the jury. Despite this success, it seems clear he did little in the last two group trials, not even bothering to make a closing argument.

The End of Robertson's Legal Career

The 1885 Indian trials were undoubtedly draining for Robertson and did little to advance his career. Legal scrapbooks for 1886 suggest Robertson and his partners were busy winning some cases and losing others. Robertson had problems of his own, being fined for possessing the head of a moose outside hunting season. He represented himself in the proceeding in February 1886 and at his unsuccessful appeal in October. Robertson still sought some recognition of distinction. In May, he was nominated (or arranged to be nominated) for a "junior bencher" position in the Manitoba Bar, but was persuaded to withdraw for being too senior.⁶⁰

Campbell's letters to Minnie in 1886 suggest that he was busy with some clients, that some were more profitable than others, and that he was attracting large clients outside of Winnipeg.⁶¹ In March 1886, Robertson and Campbell lost the case of *Manitoba Investment Association v. Bathgate* when the jury found for the plaintiff. Robertson also worked with his partner Crawford on a large case, *Leacock vs. McLaren*, in May and June 1886 which ended with 8 days of arguments, and on a second case in September involving land ownership.

Despite the apparently smooth functioning of Robertson's career and the firm at this time, letters in the summer of 1886 suggest that Campbell and Crawford may have been planning on dissolving their partnership with Robertson. At the end of May, Campbell writes his wife that Crawford tells him Robertson "talks as if all things would go on as before making holiday arrangements [for] Robertson in July, Crawford in August and Campbell in September."⁶² Two months later he again notes: "Robertson came to the office this pm. I was exceedingly pleasant and I want everything to go on as usual until this fall."⁶³ This suggests Campbell and Crawford were planning to leave

Robertson in fall 1886 or perhaps they were adjusting the partnership agreement because Robertson had informed them of his illness and realized he would not be able to work long hours. Reduced hours at work also may have been necessitated by the birth of Robertson's third child, Ross Auld Robertson, on 27 October 1886. In any event, the 1887 *Henderson's Northwest Ontario and Manitoba NW Directory* (published in January) listed Robertson, Campbell and Crawford at 326 Main St. and F. B. Robertson still residing at 30 Edmonton.⁶⁴

Legal Scrapbooks at the Archives of Manitoba suggest that Robertson was active in 1887. He worked with Crawford on two cases in January and February of that year.⁶⁵ They lost an appeal in June.⁶⁶ Robertson also won a case where he argued for two days in September without apparent support of his partners.⁶⁷ During this time, he also was active in the Conservative Party. In February 1887, he moved that a resolution of thanks be issued to Duncan MacArthur for withdrawing his candidacy for the Winnipeg House of Commons seat which otherwise would have split the Conservative vote.⁶⁸ Robertson's obituary in a Toronto newspaper suggested that he was offered the Conservative nomination but had only just learned of his fatal condition.⁶⁹ Diagnosed with Bright's Disease, Robertson managed to live seven years with the illness.⁷⁰

There is no evidence that Robertson attempted to follow his father's political career by running for Parliament; so he may have turned down any offer of nomination due to his illness. His staunch opposition to John A. Macdonald's railroad policy, including a call for the Prime Minister to step down, also may have made his candidacy untenable. His attacks on the Prime Minister were contained in two letters to the editor of the *Toronto Mail* in January and February of 1887, decrying the "Effects of Monopoly", and they were republished later that year by the Conservative Anti-Disallowance Association.⁷¹ The Anti-Dissallowance Association opposed the denial of allowances of local railway lines in favour of maintaining the Canadian Pacific Railway's monopoly in rail transportation. He also was part of a delegation of 18 distinguished Conservatives to meet with the Minister of the Interior to argue in favour of having multiple competing railway lines. Robertson and R. J. White were the principal spokespeople.⁷²

Although Robertson appears busy in 1887, including the christening of his third child in July, Campbell and Crawford appear to have formed their own firm without him in time to have it listed in the 1888 Directory, published in January. That Directory lists Campbell & Crawford at 387 Main St. and F. B. Robertson still at 326 Main St.⁷³ The Pitblado firm simply notes that Robertson left the firm in 1888, but it appears more as though the firm left him.⁷⁴ Stationery used by Colin Campbell to write to his wife Minnie in July 1888 confirms this change of both the partnership and the address for Campbell and Crawford.⁷⁵ An ad for Robertson at 354 Main Street was run in the *Winnipeg Free Press* on 18 May 1888. It lists office hours as 10–1 and 2:30 to 4 or 5 pm. This suggests Robertson had

no partners or associates to cover the office when he was not there. He was still practising law since he represented plaintiffs in *Simpson v. McDonald* and *Springfield v. Mathewson* in the spring of 1888.⁷⁶

The Law Society of Manitoba records show that 1888 was the last year that Robertson took out a certificate to practise, but he is listed in the 1889 Directory as practising at 354 Main Street while still residing at 30 Edmonton.⁷⁷ In the 1890 Directory, he is still listed alphabetically among barristers but no separate listing for his practice or residence is given.⁷⁸ His youngest child, Francis Beverley, Jr. was born in Winnipeg on 2 December 1888, but baptized in Toronto on 7 October 1889. The *Winnipeg Free Press* published a notice on 28 October 1889 that he "has moved to Hamilton, Ontario where he will take up the practice of his profession."⁷⁹ He was not listed in the practice section of the 1890 Winnipeg Directory but it did still contain his residential listing.

Final Days

It is not clear exactly what Robertson did after this. His brother Victor died of inflammatory rheumatism in 1890 at age 34, leaving a young widow and three children under the age of four, as well as a fourth born after the death of his father. The obituary for Victor noted that his brother Beverley cared for him tenderly.⁸⁰ He may have stayed on to help the young family which was listed still in Portage la Prairie for the 1891 Census in April. The 1891 Census also lists Beverley's wife (Eleanor) and family as living in Haldimand, Ontario, but Beverley is not listed with either family.⁸¹ He also was not listed with his father Thomas Robertson and his wife "Elizabeth" (sic).⁸² Hamilton Directories for the period from 1891–1894 do list Robertson's brother H. H. Robertson both for his residence and in the attorneys' section, including advertisements, but Beverley is not mentioned either as a sole practitioner or as practising with his brother.

Obituaries state that Beverley Robertson moved to the Windsor, Ontario area sometime between two and four years before his death in neighbouring Walkerville in December 1894.⁸³ The 1893 Windsor City Directory does list "Robinson, (sic) F. B., lawyer," as residing at the British American Hotel.⁸⁴ However, he is not listed in the practising attorneys section and a sampling of the *Evening Record* during this time period reveals seven classified attorney ads, but none for or mentioning Robertson. So although his profession was listed with his residential listing, it seems clear he was not trying to practise at this time. He is not listed in the 1894 Directory and a copy of the 1892 Directory is not available. One obituary suggests he lived at the Crawford House in Windsor before the British American Hotel.⁸⁵ Perhaps he was there in April 1891 when the census was taken and the census takers assumed that only visitors stayed at hotels. In any event, obituaries state he had been at the Crown Inn either two or a few months before his death and his father came to town to collect his body.⁸⁶ Robertson knew he was sick and made a will on

1 December leaving everything to his wife. But everything was not much—less than \$15,000 in personal property and no real estate.

Despite his mostly unsuccessful attempts to defend Native people during the Riel Rebellion trials, obituaries (as they often do) praised his abilities: "...until about five years ago [he] was recognized as one of the cleverest lawyers in Canada" and "He was energetic and clever and a useful and successful career was apparently before him, but he went wrong."⁸⁷ We don't know why Robertson chose to move to Windsor and isolate himself from family and friends. Perhaps it was for medical treatment in nearby Detroit or perhaps he wanted to spare others the anguish of watching him suffer what he experienced in tending to his brother Victor.

Conclusion

Robertson's tragic end parallels in some ways those of his Native clients. Just as the Chiefs were released early from prison, Robertson was "released" from his Winnipeg law partnership around 1887.⁸⁸ The chiefs had been involuntarily isolated from their family during incarceration, took ill and died. Robertson took ill first but then voluntarily isolated himself from family and friends, so they would not see him suffer with the disease and would not be burdened with caring for him. Of course Robertson undoubtedly received better care at his various hotels, but all of these men must have dearly missed their families while they were ill toward the ends of their lives.

Since no one knew him in Windsor, the language in his newspaper obituary there, i.e., "He was energetic and clever and a useful and successful career was apparently before him, but he went wrong" probably came from his father when he arrived to collect the body.⁸⁹ While the language that "he went wrong" might simply refer to his contraction of Bright's disease, it also may suggest fatherly disapproval of Beverley's career path. While Manitoba was a fast-growing land of opportunity for lawyers, it may also have been a location for Beverley (as well as Victor) to escape working under the thumb of an ambitious father. Thomas Robertson may never have approved of his son's "escape" just as white society did not approve of the actions of the Native chiefs during the Riel Rebellion. While the chiefs made a compelling case that they tried to avoid violence and had little choice in being at the proverbial wrong place at the wrong time, the jurors and white society did not want to hear such defences. Similarly, Thomas may not have wanted to think that his son preferred his own career out west to practising in the shadow of his father. ☛

Notes for this article
are available on the MHS website:

www.mhs.mb.ca/docs/mb_history/73

or scan the QR code at right
to go directly to the notes.



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We welcome Dr. Eysyllt Jones of the History Department at the University of Manitoba as the new Associate Editor of *Manitoba History*. Born in Wales and raised on the Canadian prairies, Eysyllt has her PhD from the University of Manitoba. Her specialty areas of research include a history of disease and health in Canada and the modern world, including twentieth century health activism. As well Dr. Jones has a background in transnational social movements, working class history, and the history of Winnipeg. She has published extensively in these areas, including her latest book from University of Manitoba Press entitled *Imagining Winnipeg: History Through the Photographs of L. B. Foote*.

Robert Coutts
Editor, *Manitoba History*

Thanks ...

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Manitoba's Historic Bridges

by Gordon Goldsborough
Winnipeg, Manitoba

The MHS is compiling an inventory of historic sites around Manitoba as an encouragement to tourism and management. Some sites in that inventory are featured in issues of Manitoba History. Eds.

Most Manitobans today take for granted the highway network that allows us to reach far-flung parts of the province with relative ease. Yet, the plentiful lakes and rivers that define the provincial landscape were once formidable barriers to movement. They necessitated some means of crossing, by ferry boat or bridge.

Bridges have been constructed in Manitoba since earliest times but the arrival of the Canadian Pacific Railway in the 1880s made them an essential part of the transportation infrastructure. During the early 20th century, the Manitoba government became actively engaged in local bridge construction with the result that the nature of personal transportation was changed forever. The expanding web of roads and bridges made automobiles a feasible alternative to trains so, gradually, the seeds were sown for the development of a few, large urban centres where retail trade was focussed while smaller, once isolated communities waned. In short, the development of roads and bridges during this period underpin a dramatic transformation of Manitoba that led to the condition existing today. They changed everything, and it seems to me those early bridges—as a tangible symbol of that early trend—are an important but under-appreciated facet of Manitoba's history.

The pace of bridge-building in rural Manitoba increased considerably during final two years of the First World War, and would continue unabated until the Great Depression of the 1930s. The “golden years” of bridge construction were arguably through the 1920s when a diverse array of structures was built all over the intensively agricultural parts of southern Manitoba. The impetus seems to have been the hiring, in April 1914, of Manson A. Lyons as Chief Engineer of the Manitoba Good Roads Board. Born in Nova Scotia in 1879, Lyons had a degree in Civil Engineering from Boston's MIT and had spent several years designing wharves, dams, and railways in eastern Canada. In 1911, he went to Calgary, Alberta to work on irrigation works and general engineering for the Canadian Pacific Railway. By the time of his Manitoba appointment, Lyons was said to have designed and built 80 wooden bridges, 35 steel bridges, and 350 concrete bridges.



G. Goldsborough, 2013-0154.

An early example. This bridge over the Whitemouth River in southeastern Manitoba was photographed in the mid-1870s by Winnipeg photographer Simon Duffin. Its design was typical for the day: wooden cribs supporting horizontal wooden spans, just wide enough for a single horse-drawn wagon to cross. Such bridges were frequent victims of shifting spring ice and flood water, and eventual decay of their unpreserved wood.

Lyons wasted no time at designing new, more robust steel or concrete bridges to replace deteriorating wooden structures or to supplant ferry service at places where there had been no prior bridge. As the first elected President of the Association of Professional Engineers of Manitoba, he played a key role in developing the engineering profession. He mentored a cohort of civil engineers who would enhance his infrastructural legacy. On the following pages are a few of the surviving historic bridges—including some designed by Lyons and still in daily use after nearly 100 years—of which Manitobans can be proud. ∞



Gordon Goldsborough is an Aquatic Ecologist in the Department of Biological Sciences at the University of Manitoba. He is also the Webmaster and a former President of the Manitoba Historical Society, and an Editor of Manitoba History. Since 2010, he has been leading an MHS project to map historic sites around the province. To date, over 4,300 sites have been mapped.

Manitoba's Historic Bridges



G. Goldsborough

This abandoned concrete bridge in the Rural Municipality of Daly, near the village of Bradwardine, was built in 1916.



G. Goldsborough

A wooden truss bridge over the Roseau River at Gardenton was built in 1918. A municipal historic site, it remains in active use.



G. Goldsborough

A box culvert bridge was built in 1920 over the Jordan River in the RM of Franklin, replacing a bridge erected three years earlier.



G. Goldsborough

A derelict wooden bridge over the Whitemouth River, built by Winnipeg's Reidle Brewery, is now closed to all traffic.



G. Goldsborough

A graceful concrete bridge in the RM of Whitewater, built in 1929, enabled Highway No. 10 to cross the Souris River.



G. Goldsborough

A steel truss bridge over the Souris River at Wawanesa is now closed to vehicular traffic.

Manitoba's Historic Bridges



Archives of Manitoba, Millwood #6, 1921.

An impressive triple-arch concrete bridge over the Assiniboine River, in the village of Millwood in the Rural Municipality of Russell, was built in 1920, replacing an earlier wooden structure. Aside from minor damage to the balusters of its railings, it is in good condition.



G. Goldsborough



K. Jacobs

This concrete arch bridge over the Souris River in the Rural Municipality of South Cypress was built in 1921. The northern-most arch was damaged during a flood in 1976 and was later removed. The bridge collapsed completely during the flood of 2011.



T. Everard



G. Goldsborough

A 1916 concrete bridge in the Rural Municipality of Wallace has now been bypassed by Provincial Road 256.



Historic Sites of Manitoba

The MHS website features an interactive map of over 4,300 historic sites. Magnify a particular part of the province and see markers denoting local museums, historic buildings, monuments, cemeteries, and others. Select a specific marker to see more information about that site.

www.mhs.mb.ca/docs/sites

Visionaries and Risk-Takers: The First Hundred Years of the Fort Garry Hotel

by Giles Bugailiskis
Winnipeg, Manitoba

Monumental buildings have a history that goes beyond their individual style and design features. Oftentimes the story of the owner/entrepreneur, taking a business risk to provide a needed service to the local community, is never told. Nor is the story told about the individuals who provide a public face of the enterprise, the individuals that represent the investor's vision. My aim is to do just that, to recall the fortunes of the Fort Garry Hotel, a grand, luxurious Winnipeg landmark on Broadway.

The Grand Trunk Pacific Railway Era 1904–1919

At the end of the 19th century all the pieces of the puzzle were coming together in the development of Western Canada. British capital was once again flowing into the country, the Canadian Pacific Railway (CPR) was expanding in the West, eastern manufacturers were seeking new markets for their goods and the newly elected Liberal government of Sir Wilfred Laurier was pushing for increased immigration and, perhaps most importantly, courting railways to compete with the CPR.

Prime Minister Laurier held intensive secret negotiations with Charles Melville Hays, General Manager of the British-owned Grand Trunk Railway (GTR), incorporated in 1851 and operating lines in United States, Quebec and southern Ontario. The results of the negotiations, announced in Parliament in July 1903, underlined Hays' risk-taking nature and Laurier's desire for railway expansion into the West.

The Canadian Government would build a railway from Moncton to Winnipeg, namely the National Transcontinental Railway to be leased and operated by the GTR, who would then build the Grand Trunk Pacific Railway (GTPR) from Winnipeg to the Pacific coast. It was later argued that the rail scheme was approved more to carry votes for Laurier than to transport immigrants and freight. Nevertheless, people and grain were moved in great



Archives of Manitoba, Foote 1536, N2567.

Winnipeg photographer Lewis Foote took this view of the Fort Garry Hotel in August 1924.

quantities; 330 towns and villages were established along the 1,768-mile GTPR through Western Canada.

In 1904 Hays, now the president of the GTPR, envisioned a chain of elegant hotels built along their rail line with a signature corporate look that art historians have labelled the finest example of a Canadian national style, "the Chateau Style," or the "François I Style," based on medieval castles in France. Hays believed that his hotels must not only cater to the travelling public but, in order to be truly financially viable, they must also cater to a city's social life and its social elite.

The hotel chain started in Ottawa with the construction of the Chateau Laurier named after its political patron. The U. S. architectural firm of Bradford Lee Gilbert was hired in 1907 to draw up a set of plans, incorporating an exterior decoration based on Gothic detailing. Due to the projected high cost of the proposal, and Hays' enthusiasm for the



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chateau-style decoration featured on the CPR's Empress Hotel in Victoria, British Columbia, Gilbert's contract was pulled.

In 1908, the Ottawa hotel project was then awarded to the newly established Montreal architectural firm of George A. Ross and David H. MacFarlane. Ross had previously worked for GTR as a draughtsman. Their proposal for the Chateau Laurier turned out to be very similar to the interior plans prepared by Gilbert, but it also featured a new medieval French castle exterior, and it saved \$1 million.

For the GTPR's passenger station in Winnipeg, the company partnered with the other transcontinental carrier, the Canadian Northern Railway, and prepared plans for the "most modern terminal in the world." The contract for the depot was awarded to the prestigious New York architectural firm of Warren & Wetmore, designers of New York City's Grand Central Station.

Charles M. Hays changed Winnipeg's skyline when he announced on 14 August 1910, as President of both the GTR and GTPR, that the "Fort Garry Hotel" was to be built based on a design by architects Ross and MacFarlane. The Fort Garry Hotel design was based on the plans of the Chateau Laurier but decorated similarly to the Plaza Hotel in New York and the Willard Hotel in Washington, D. C. Vacant lots on Broadway between Fort and Garry streets were to be acquired from the Hudson's Bay Company (HBC) adjacent to the Manitoba Club and on a parcel of land that once housed Western Canada's most significant trading post and political centre, Upper Fort Garry. While the plans were being drawn up for the Fort Garry Hotel, the GTPR announced that their next hotel in the chain was to be built for \$1.5 million in Edmonton, Alberta and called the Macdonald Hotel.

In May 1911 test holes were being drilled on Broadway, but curiously the building was now referred to as the "Hotel Selkirk." At the end of August, the firm of George A. Fuller Co. Ltd., of New York and Montreal, builders of the Chateau Laurier in Ottawa, were awarded the contract to construct the Selkirk for \$1.5 million excluding heating and plumbing. The company brought with them a new feature to Winnipeg, the cost-plus contract, whereby the general contractor was paid a fee to hire local sub-contractors and manage the work while the owner paid for the labour and materials.

Charles M. Hays arrived in Winnipeg on 15 September to meet personally with HBC representatives to resolve issues on closing lanes on the lots that the railway had purchased. Naming the hotel "The Selkirk" rather than honouring the history of this hallowed site was just one means to pressure the HBC to allow the GTPR to have one large contiguous lot, going all the way back to Assiniboine Avenue, in case the hotel needed to be expanded. Winnipeg architect Herbert B. Rugh became the local manager for Ross and MacFarlane's design work in Winnipeg and announced on 19 September 1911 that all outstanding issues with the HBC and the City had been resolved. Two days

later a notice in the *Manitoba Free Press* confirmed that the new hotel was to be called "The Fort Garry," and not the "Lord Selkirk."

Excavation for the deep basement began within days and continued all winter, sometimes 24 hours a day. On 7 February 1912, the first of several construction accidents occurred when a worker was accidentally killed when heated excavation material buried him alive.

Tragedy struck again on 15 April 1912, when Hays, sailing across the Atlantic with his family, was drowned aboard the *Titanic*. Sir Wilfred Laurier called Hays "the greatest railroad genius in Canada." The opening of the Chateau Laurier was delayed for a month in respect for the company's late president and it is said that his ghost started to haunt the hotel.

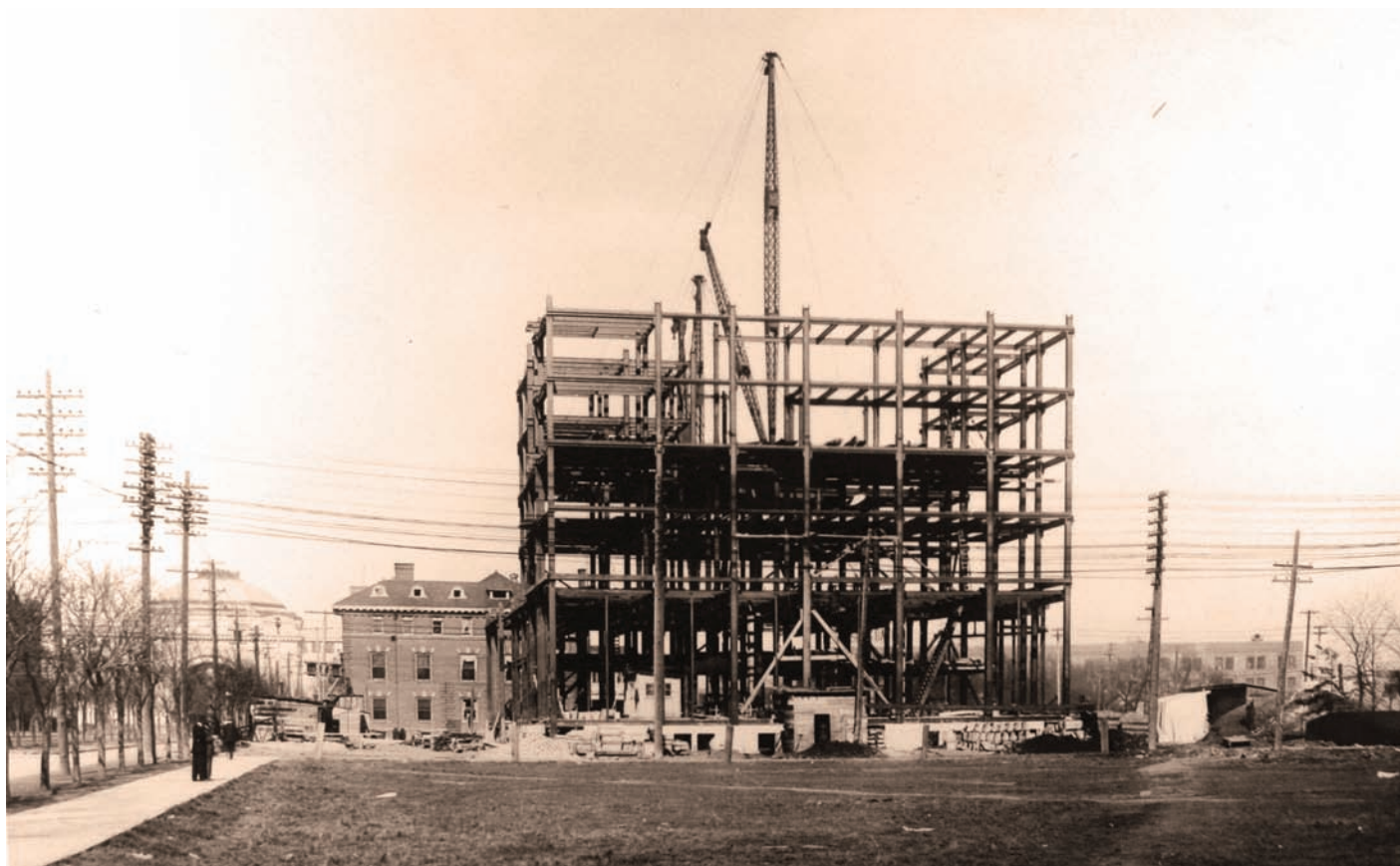
Construction of the Fort Garry continued without incident until July 1912 when 60 labourers went on a brief strike, upset that their work day was reduced from 10 hours a day to 9 hours at a rate of 27½ cents an hour.

In October 1912 Frederick W. Bergman was appointed the company's manager of hotels. Born in Germany, the elegant and dapper Bergman had been hired to be the Chateau Laurier's general manager. He had a strong background in the hospitality industry having worked in hotels in London, China, New York City and finally at the Banff Springs Hotel. Upon his new appointment, he and his family moved to Winnipeg to stay at the Royal Alexandra Hotel to manage the finishing of the Fort Garry Hotel and the construction of the Macdonald Hotel in Edmonton. In addition, he was to oversee the construction of proposed hotels in Regina, Mount Robson, Prince Rupert and Prince George.

In April 1913, it was announced that plans were being prepared for a 200-room addition to the Winnipeg hotel, almost doubling its capacity. Bergman now played a key role in letting the public know about the opening of the Fort Garry Hotel. Plastering was underway with extra crews brought in to hasten completion of the work. Public rooms were detailed in a Louis XIV style, the Palm Room was Adamesque, and the private dining rooms were Jacobean.

In August, he announced that the hotel manager, chef and other head officials had been hired and were to be arriving shortly. He also let Winnipeggers know that his wife Laura had designed special carpets, furniture coverings, and the hotel's colour schemes all of which had copyrights. The Tiffany Studios from New York had manufactured and were installing all the hotel's lighting fixtures. Much of the bedroom and public room furniture, bedding, paintings and room accessories were to come from the T. Eaton Co.

By October 1913, Bergman and his family were living on the fourth floor of the hotel with 70 employees already working in the building. The conservatory on the roof was complete and was used to keep the plants for the grand opening. A mushroom cave was also built on the roof to supply the hotel.



Archives of Manitoba, Winnipeg - Hotels - Fort Garry #8, N1463.

In this 1912 view of the steel skeleton for the Fort Garry Hotel taking shape, we see the Manitoba Club building immediately behind it and the Union Station, at the intersection of Broadway and Main Street, in the background.

In the spring of 1914, construction of the Macdonald Hotel in Edmonton was also nearing completion; work had also started on the Chateau Qu'Appelle in Regina.

On 9 December, a GTPR Express train with two special cars arrived at Union Station from Regina carrying dignitaries to attend the opening festivities. Arriving passengers included Franklin J. Robinson, Chairman of the Board of Highway Commissioners for the Province of Saskatchewan, William F. Kerr, owner of the *Regina Leader*, William M. Martin, Member of Parliament for the Regina constituency, Regina real estate developers Walter H. A. Hill and E. A. McCallum, and Thomas B. Patton, a Regina alderman. The pre-opening celebrations on 10 December 1913 included an early dinner for dignitaries followed by a gala evening dance hosted by the Victorian Order of Nurses. In attendance that evening were many of Winnipeg's most influential men dressed in their tails, while the women wore gowns dutifully described in the following day's newspapers.

Most public spaces in the hotel were completed, although only a small number of guest rooms were done and finishing work was still continuing. The official opening of the hotel occurred the following day, 11 December 1913, with a tour of the building by numerous GTPR managers and special guests. Morley Donaldson, the railroad's vice-president and general manager, hosted a luncheon for 200

invitees. At 6:00 pm the doors were open for Winnipeggers to inspect their new castle of opulence.

The New Year saw Winnipeggers attending numerous social functions in the ballrooms, with luncheons held by various business organizations along with frequent meetings of the Rotary Club. Train travellers felt welcome in the sumptuous surroundings. But, dark times lay ahead: the GTR was showing signs of financial trouble; fear of a war in Europe and the high cost of borrowing hampered the company's ability to meet its commitments; and by the summer of 1914 the Panama Canal was open and Winnipeg's dreams of being a major rail transportation hub were over. Canada entered into the First World War in August. The country's German population became a reviled immigrant group and in April of that year Frederick Bergman resigned from the company. With his family Bergman quickly left Winnipeg for the eastern United States, ending up working for the Statler hotel chain.

The Fort Garry reduced its staff levels due to the decrease in business. Some staff formed the Grand Trunk Pacific Home Guard to contribute to the war effort. Construction of Edmonton's Macdonald Hotel continued but work on Regina's Chateau Qu'Appelle ceased with only seven floors of steel framing complete. In the 1920s, the foundation was covered over and the steel framing was re-used for a different hotel.

The Fort Garry Hotel

After the war the GTR's financial problems were so severe that they defaulted on loan payments to the federal government. On 7 March, 1919, the GTPR was nationalized to be operated by a federal Board of Management. By July 1920, the GTPR and all of its assets were turned over to a crown corporation, the Canadian National Railway (CNR), which eventually included the Canadian Northern Railway and the GTR.

The Canadian National Railway Years 1919–1979

After the War, and in spite of the problems in the railway industry, the Fort Garry Hotel continued to be successful as a social centre for Winnipeggers. During the 1920s, one of its most notable guests was Sir Arthur Conan Doyle, author of the Sherlock Holmes books. His earliest visit may have been in 1914 because he had written about how modern and luxurious the building was, rivalling anything in London. In 1924 he stayed at the hotel again, promoting the cause of Spiritualism, and visited Dr. Thomas G. Hamilton, a noted spiritualist living on Henderson Highway.

The CNR amused its rail passengers by providing radio transmissions on its trains. Radio station CNRW began broadcasting from the Fort Garry Hotel in September 1924. In fact, CNR had one of the earliest—possibly the first—regularly scheduled broadcast networks in North America.

During its early years, the Fort Garry had many notable maître d's, bellmen and managers. A true Winnipeg character was Alfred Banyon, also known as The Great Zanzig, a magician in the circus world. He started working

at the Fort Garry in 1924 and remained the maître d' until 1946. A Latvian by birth, he performed throughout Europe and North America before joining the CNR. At the hotel he was distinguished for promoting Winnipeg goldeye, a local delicacy that became popular around 1911.

During the depression in the late 1920s and 1930s, rail travel was down but the hotel continued to survive by serving the local population. Travelling Manitobans also favoured the luxurious setting. In 1932, the CNR began its annual excursions to Churchill to see the polar bears, with most guests staying at the hotel, an activity that continues today.

During the war years a number of entertainers stayed at the hotel as part of their tours to entertain the armed forces. One guest in July 1943 was 21-year-old Hollywood actress Jane Russell who stayed for only one night. It remains a mystery why she was here. Her scandalous film "The Outlaw" had not yet been released due to censorship. Meanwhile, Claude Turner and his Orchestra initiated the fall supper and dance season.

Another notable employee who started in 1948 was Andy Kuhn, a bellman who collected autographs of celebrities staying at the hotel for the next 32 years. His collection included Nelson Eddie, Nat King Cole, Brenda Lee, Harry Belafonte, Basil Rathbone, Charles Laughton, Laurence Olivier, Joan Crawford, Liberace, Louis Armstrong, Mitch Miller, Art Linkletter and Mary Costa, the voice of Snow White.



Archives of Manitoba.

A group of steel workers poses during construction of the Fort Garry Hotel, 1912.



Archives of Manitoba, Foote 1537, N2568.

A group of waiters at the Fort Garry Hotel posed for photographer Lewis Foote in January 1921.

By the 1960s it became common knowledge that the CNR hotel chain was losing money due to low occupancy, the poorly maintained physical condition of their properties, and the lack of a strong business plan. The Fort Garry continued to be a popular social location including being the venue for a live CBC television broadcast from the lobby, "Around Town".

Throughout the 1960s and 1970s the hotel struggled. An editorial in the *Winnipeg Free Press* on 26 December 1963 suggested that a proper hotel management firm should be hired to manage CNR's hotels.

A fire in November 1971 on the 7th floor required around 50 firefighters to extinguish the blaze. The fireproof construction of the building resulted in only one person being hospitalized due to smoke inhalation. Water damage was extensive with many guests fleeing in their night clothes.

Shortly after, cosmetic changes occurred in the building. CNR converted the Palm Room on the main floor into the Drummer Boy Lounge, a cocktail lounge to reflect the area's military past. The former Jade Room became The Factor's Table, a fine dining room, and the lower level was transformed into the Left Bank, a "Bohemian-style" café and nightclub.

At the end of the 1970s the CNR, now called CN, began to operate much more efficiently by assuming its own debt rather than having its debt subsidized by the federal government. The company started to remove itself from any activity that was not related to freight rail transportation, which included selling off its hotels. The majority went to the CPR, although the Fort Garry was not part of that package.

In February 1979, CN announced that it was planning to close the hotel once it built a new one closer to the city's downtown business district. The heritage community became alarmed and tried to pressure the City

administration to do something, as municipal heritage legislation was being discussed at City Council.

On 12 April 1979, Winnipeggers had an opportunity to see Prince Charles who was on a cross-Canada tour. His stay in the city was very brief, a dinner and reception at 6:30 p.m. at the hotel, a military parade, a one-night stay, and off again at 9:25 a.m. Marion Warhaft, still a food writer today, described the truly made-in-Manitoba dinner: Winnipeg goldeye, watercress salad, braised wild prairie duckling, wild rice, fiddleheads and strawberries Romanoff. For breakfast he had orange juice, corn flakes and milk.

Two weeks later the Hotel manager told the media that CN was not looking for a buyer, saying "There is no way Winnipeg would let it go down, this is a piece of history." Harvard Investments' offer of \$2.4 million for the hotel was accepted by CN in June 1979. The sale included the land that the Hotel sits on and a garage building extending to Assiniboine Avenue. In November, CN accepted the offer, agreeing to sell the property and all stock and liquor for \$2.75 million.

The Harvard Investment Years, 1979–1987

John Draper "Jack" Perrin was an athlete, naval officer and a highly successful Manitoba entrepreneur pursuing a variety of business interests as Harvard Investments and promoting professional hockey in the city. The Perrins were highly pleased with the purchase of the hotel since they saw it as another opportunity to establish the family in a new and challenging enterprise. Unfortunately things did not work out well.

Perrin's purchase of the hotel included the lands adjacent to the building to the south but did not include a small portion of land that the City owned at Assiniboine Avenue and Garry Street. The City vacated their building and Perrin proposed to build an apartment building complex with tennis courts and pool as an amenity to his hotel business. His biggest challenge was people's perception that the area and hotel had become run down. The restaurants were doing poorly. Talks about commercial developments at the CN East Yards gave him hope that the hotel's future was bright. Unfortunately, the three levels of government put their efforts and money into the restoration of the north side of Portage Avenue; south Main Street had to wait.

On 20 February 1980, the City placed the hotel on the Buildings Conservation List as a heritage structure identifying the lobby area, Palm Room, Provencher Room and the seventh-floor Loggia and Ball Rooms as areas with significant, character-defining elements. This was to ensure that the building could not be demolished without City Council's approval. Subsequently in 1982, the Historic Sites and Monuments Board of Canada placed a plaque at the hotel identifying it as a National Historic Site. In 1989, the Province of Manitoba recognized the property as a Provincial Historic Site.

A general clean-up of the hotel was started on 28 June 1981, with a major auction sale of furniture, carpeting,

table lamps including Tiffany lamps, and antique brass stained-glass hanging lamps. To attract a younger clientele, Winnipeg's first stand-up bar, called Broadway's, opened in the basement. Prominent guests included Pierre Elliot Trudeau, Sir William Stephenson, Sting (lead singer with The Police), and Rodney Dangerfield. Weddings, luncheons, musical concerts such as the CBC-Winnipeg Orchestra's Candlelight Series and fundraisers provided much of the business. The hotel's occupancy rate stayed around a low of 40% to 55%.

Although the *Globe and Mail* called the hotel a "fortress with class," controversy over the civic assessment of the property was to change the fortunes of the owners. In 1983, Jack Perrin announced that he was behind on his municipal taxes for the last three years, totalling more than \$1.3 million. In 1979, the province had frozen tax assessments for two years to allow a review of their system. Subsequently the legislation was extended indefinitely with no provision for appeal. Perrin argued that he was not making a profit with the enterprise, the building was not up to date, and the only value lay in the potential of the land. In June, the City placed the property on its tax sale list, an automatic procedure when taxes are unpaid. Perrin felt that if he paid his taxes, he would be accepting the unfair assessment, being unsure if an appeal would reimburse him.

In August 1983, with an estimate of \$385,000, Perrin made an application for a demolition permit stating he would withdraw the application if his taxes were forgiven or if he were provided with a substantial financial incentive to continue his major redevelopment proposal for the entire site. The City would not allow the building to be demolished as it was a municipal heritage site, and decided not to take title to the property in order to allow Perrin to continue operating the hotel.

In April 1984, the Great West Life Insurance Co., who had provided a mortgage loan to Harvard Investments, obtained title to the land south of the building where Perrin had envisioned building a new complex. Perrin was now left with just the hotel.

Positive news came in September when Pierre Berton launched his 30th book, "The Promised Land," at a breakfast attended by Premier Howard Pauley, Mayor Bill Norrie and other dignitaries. Later, the Heritage Canada Foundation and Pierre Berton were to lobby CN to return the GTPR signboard and grandfather clock taken from the hotel by CN (they were eventually lent to the Transcona Museum and were recently returned to the Hotel). Perrin continued to promote the hotel; in December, a landau carriage, drawn by a team of chestnut horses, left the Fort Garry to travel down Broadway for a traditional Christmas carriage ride.

A major blow to the Hotel occurred in January 1986 when Winnipeg City Council approved a \$65-million complex to be built on the adjacent lands by Marlborough Development's owner Martin Bergen. Perrin, along with the Manitoba Historical Society, was furious, being aware that the 20-storey building would ruin the view of the south side of his hotel and diminish his plans for expansion.

Nonetheless, the controversial proposal met all City zoning by-laws.

By the end of the year the City started legal proceedings to take title to the property. As well, on 22 January 1987, bailiffs acting on the City's behalf served a distress warrant on the hotel's management seizing \$30,000–\$40,000 worth of contents to cover business taxes owed to the City. By this time, 60% of the hotel's staff had been laid off. Bookings were being cancelled; the restaurants were seeing very few customers. A few days later the Fort Garry Hotel's doors were locked and Harvard Investments announced that they intended to sue the City for damages and compensation based on their belief that the property was over-assessed and for declaring the building a Grade II heritage structure. The closing resulted in commercial and residential tenants leaving the building including the Rainbow Society and Arnold's Investigators of Canada Ltd.

The City received the Certificate of Title in February 1987 and City councillors were quite concerned about owning such a large vacant building that may not be financially viable. They immediately put out a request for proposals and received four to five proposals; among them was an offer from Raymond Malenfant, a Quebec hotelier who was known for buying hotels at bargain prices and bringing them back to life.

The Malenfant Years, 1987–1993

Raymond Malenfant and son Alain were able to buy the Hotel for close to \$1 million late in the fall of 1987. They agreed to invest up to \$12 million to make the building viable. They planned to replace all 300 windows to reduce heating costs. They also had to install new boilers because CN would no longer provide heat from their steam plant in the East Yards (at the Forks).

Malenfant invested in new plumbing, electric heating and carpeting, and the seventh floor was repainted based on colour schemes in Malenfant's hotels in Quebec. The hotel's food and beverage operations were to be leased out to a local catering firm with more French flavour.

The grand opening of the hotel took place on 20 May 1988 at a black-tie affair for 750 dignitaries accompanied by a string quartet. The Factor's Table was renamed The Lautrec; the coffee shop was now Piaf.

Hoping to attract more people to stay and visit the Hotel the "Crystal Casino", run by the Province of Manitoba, opened on 28 December 1989 in the seventh-floor ballrooms. This was Canada's first year-round commercial casino and was envisioned to make Winnipeg the Las Vegas of the North. Critics said that the facility had limited potential since it could not draw a large number of tourists without serving alcohol and grand entertainment. The Winnipeg Convention Centre was to take over providing food services to the hotel. Concern was expressed by the local food industry who believed that a government-subsidized agency should not be involved in a private-sector venture. With no food services special event bookings dropped.

Two years later Malenfant owed the City \$536,000 in taxes and was asking for bankruptcy protection. At the same time he was asking the Province of Quebec for \$45 million in loans to keep his hotel empire alive. In September 1991, the Laurentian Bank of Canada filed a notice with Manitoba Land Titles advising that the Bank was holding a \$6.7-million mortgage on the building. By the new year, Malenfant had lost the hotel with the operating casino to the Laurentian Bank. The hotel was then acquired by Benoit Paradis, a Quebec City lawyer and Raymond Malenfant's son-in-law, through a \$7.3-million loan from Quincailleries Laberge Inc., a privately owned Quebec hardware and real estate firm run by Gilles and Jean Laberge. Within a year that ambitious deal went sour and in April 1993 Quincailleries Laberge Inc. took over possession with the intent of temporarily using the current hotel manager and a local entrepreneur couple who were providing limited food services in the hotel.

Gilles and Jean Laberge, Rick Bel and Ida Albo: The New Caretakers, 1993–2013

Rick Bel and Ida Albo, who were running the banquet facilities at the hotel on a month-to-month basis, were there because they needed a larger kitchen to provide for their ever-expanding clientele at the Prairie Oyster Restaurant located at the Forks. The Laberges were considering selling the hotel and approached Bel and Albo to become part-owners and manage the hotel, which they agreed to do.

The two young entrepreneurs, with a background in Economics and a passion for the hospitality industry, believed that the secret to making the enterprise successful was running it as a smaller hotel, closer to the feeling of a big bed and breakfast with grander amenities and staff that cared about customer service—recalling the reputation of the hotel in its early years.

The occupancy rate had slipped to 25%, and an immediate upgrade was needed. They quickly undertook a \$1-million interior renovation and formed a partnership with the adjacent Fort Garry Place to build a walkway between the two buildings and share a pool and fitness centre and parking. On 22 December 1994, William Neville, a former City councillor, academic, and columnist wrote that finally “the Fort Garry may be on the way to becoming the jewel of Winnipeg Hotels that conservationists have long believed it could be.”

Work progressed furiously under the leadership of Bel and Albo who took up residence in the building to personally oversee all the upgrades. They managed to receive partial funding from the City to stabilize the exterior and foundations in their plan to physically upgrade their asset.

A two-storey parkade was built on the south portion of the building and over \$7 million was invested in the infrastructure of the property. The lease for the Casino was not renewed and \$2 million was spent to repair and upgrade the 7th floor ballrooms and loggia to a standard that

Frederick Bergman, the former GTPR Manager of Hotels, would certainly have approved.

Gala receptions and elegant weddings returned to the Hotel, including an evening in May 2000 when 500 couples who had previously celebrated their weddings in the building came back to reminisce. The 90th birthday of the Hotel was celebrated on 11 December 2003, with over 300 special guests and former staff invited to a black-tie dinner.

The dream of adding more amenities and improving the services available at the Hotel continued with the opening of the city's first luxury spa on the tenth floor. “Ten Spa”, located in the former chambermaids' quarters, became a sensational hit with visitors and locals alike. The weekly Sunday Brunch, described as Winnipeg's best, held in the Rotunda and all of the grand spaces on the Lobby floor, has attracted countless visitors and Winnipeggers alike.

In 2009, the hotel was rebranded as the Fort Garry Hotel, Spa and Conference Centre. The owners took over two floors of the adjacent Fort Garry Place to create a 35,000-square-foot facility for weddings, banquets, meetings and fundraising events. Three years later “Yoga Public” was opened a few blocks away on Fort Street. Thus a vacant and derelict building was transformed into Canada's largest yoga studio that complemented the activities available to guests staying at the hotel.

Outreach to the community has become an important element of the enterprise. In 2010 comedian Joan Rivers stayed at the hotel and was the keynote speaker at a gala to kick off a wellness and yoga-based lifestyle trade show. Net proceeds of the gala went to support Winnipeg's Canadian Museum for Human Rights at the Forks in Winnipeg.

So, as the Hotel comes to celebrate its 100th birthday, what lessons can one learn about running a heritage landmark and making it successful? Certainly location and the unique character of the building have been important, but more so are the passion, vision, extremely hard work, and available capital to maintain and upgrade the property for a contemporary clientele. A dedicated staff that provides a public face and character to the business is an important asset as well.

The Fort Garry Hotel has never been this robust and beloved by all Winnipeggers. We remain confident that the next hundred years will see the “Grande Dame” continue to evolve and yet remain the luxurious castle that Charles M. Hayes envisioned so long ago. Impressive as it must have been upon completion, the Fort Garry Hotel remains one of Winnipeg's most recognizable and striking landmarks. 🍷

Note

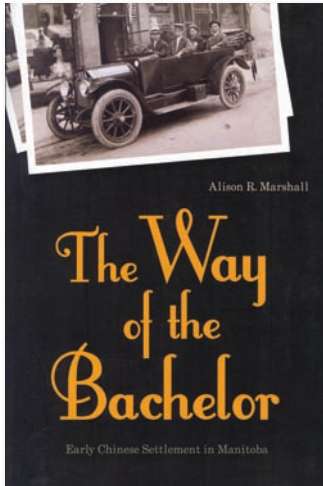
The author wishes to acknowledge that much of the information for this article was drawn from the files of the *Manitoba Free Press*, the *Winnipeg Free Press*, the *Dictionary of Canadian Biography*, the *Manitoba Historical Society's* website (www.mhs.mb.ca), *Manitobias* (www.manitobias.ca), and the files of the *Journal of the Society for the Study of Architecture in Canada*. Murray Peterson's support is greatly acknowledged.

Reviews

Alison R. Marshall, *The Way of the Bachelor: Early Chinese Settlement in Manitoba.*

Vancouver: UBC Press, 2011, 248 pages.

ISBN 9780774819169, \$32.95 (paperback)



Though playing only bit parts in conventional studies of Western Canadian development and settlement, Chinese immigrants played a significant role in the early history of the Prairie West. Undoubtedly, the images we draw upon when we think of these men (and they were almost all men) are connected to their part in the construction of the Canadian Pacific Railway. For many Chinese immigrants, however, labour on the rail lines and

in the work camps made up only part of their experience in Canada. As Alison Marshall points out, Chinese men were familiar local figures in towns and villages across the eastern prairies, and the restaurants and laundries they ran were conspicuous elements in the social mosaic of rural life. Within this context Marshall seeks to recover and describe the Chinese male immigrant experience on the Manitoba prairie.

Marshall focuses her study on western Manitoba, with special interest paid to Brandon and its environs, the small city being “an important hub in a network of relationships” for Chinese in the region. The earliest reference to a Chinese settler in western Manitoba appears in 1884; however, due to the paucity of sources, Marshall concentrates on the period from the national revolution of 1911 (which saw the fall of the Qing dynasty in China), to the division of China and Taiwan in 1949 in the aftermath of the Chinese Civil War. The immigrant experience is examined under four broad yet interrelated topics spread across five chapters: expatriate political commitment; traditional religion and Christianity; the phenomenon of the Chinese laundry; and the Chinese restaurant and the importance of traditional food in settlers’ lives.

The search for what Marshall calls “efficacies” characterized the way in which Chinese immigrant men attempted to get along in prairie society. Marshall argues that, in order to adapt and fit in to their local communities, Chinese settlers identified as Christians of various confessional stripes and participated in local Christian societies and clubs, while in private remaining faithful to traditional religious practices brought with them from China. The political and moral teachings of the Chinese nationalist revolutionary thinker Sun Yat-

sen, who encouraged the intermingling of Eastern and Western cultures, provided the inspiration for such social strategies. Sun Yat-sen’s teachings were disseminated in Manitoba through membership in the Kuomintang, or Chinese Nationalist League, whose offices throughout the province served as gathering places for expatriate Chinese men. Participating in cultural and political events enabled Chinese immigrants to keep their traditions alive and stay connected to Chinese communities across North America.

The ways in which immigrant Chinese men sparked friendships and working relationships with each other is an important theme throughout Marshall’s study. These relationships were centered on the Chinese laundry and restaurant; where most Chinese spent the vast majority of their time, sweating for hours over hot ironing stations and ovens. This was so much a part of the Chinese experience that it became a subject of stereotype and scorn even before the men set up shop. As years went by, however, the Chinese restaurant became an important site of cultural survival and social identity, especially for the wives and children who joined their men on the prairies after the repeal of the Chinese Immigration Act in 1947. This opens up the examination of the importance of Chinese food in the later settler experience, which Marshall argues was central in the forging of the Chinese immigrant identity in rural western Manitoba. The Chinese newcomers’ search for efficacious social strategies resulted in a hybridization of culture and identity: as ‘Chinese’ and ‘traditional’ in the home as it was ‘Canadian’ and ‘Christian’ at the local YMCA.

Such a terse summary cannot claim to elucidate the many ideas, events, and processes that Marshall attempts to cover in this study. And it is partly because of this that the book suffers from so many problems. As a general observation, the book focuses as much on the Chinese immigrant scene in Winnipeg as it does on rural communities in the western region of the province. Marshall also begins the book by (mercifully) claiming that it will not be a record of racial discrimination and tasteless prejudice. However, throughout the book there is extensive discussion of experiences of just this kind, so much so, in fact, that one is left wondering if Marshall is altogether correct in her assertion that Manitoba could boast of a relatively honourable record on this account.

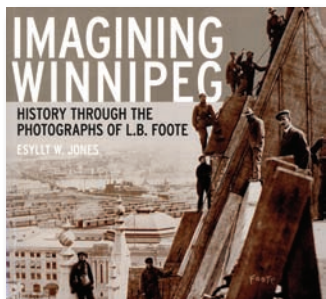
Important matters of technique and presentation also demand scrutiny. Due to the lack of extensive primary material, Marshall relies on oral interviews with individuals who are referred to throughout the book simply as “old-timers” and whose memories, it has to be said, offer no special perspective on the subjects being discussed.

Related to this, and of major concern, is the lack of reliable documentation. Many block quotes, for instance, have no accompanying endnote, and when a reference to an oral interview can be found, Marshall often simply states that the information was “gleaned” or “compiled” from unspecified interviews. In terms of style, Marshall’s prose is interrupted by the inclusion of Chinese script in the text, along with unnecessary translations of Mandarin names and regional dialects. Most problematic, however, is the almost complete absence of any kind of narrative structure to tie together the wide and often confusing mass of material that Marshall compiles from interviews, secondary works, the occasional primary source, and tangential discussions of the intricacies of eastern religious philosophies and Asian history. The result is a work far more impressionistic than explanatory, punctuated throughout by the frequent use of the first person pronoun “I”, which in a study of this kind does not recommend itself.

It should be noted that UBC Press published this title as part of their “Asian Religions and Society” series. Nevertheless, one begins this book with the hope of learning about what it claims to be: a history of Chinese settlement in Manitoba. Regrettably, rather than being an exercise in history, it reads more like an anthropological-cum-biographical survey, and is often little more than a collection of simplistic vignettes and opaque recollections, bookended by reference to prosaic theories and terms (such as “social heat” and “homosociality”) that I suspect would have seemed a bit convoluted, if not incomprehensible, to the individuals under study. One also cannot ignore the feeling that Marshall’s lack of critical reflection has the effect of turning her subjects into plaster saints. Still, the book contains a number of excellent photographs and pictures, indicating that there is certainly a story to be told. The history of the Manitoba Chinese remains to be written.

Stephen Grandpre
Western University

**Esyllt W. Jones, *Imagining Winnipeg: History Through the Photographs of L.B. Foote*.
Winnipeg: University of Manitoba Press, 2012, 154 pages.
ISBN 978-0-88755-735-4, \$39.95 (paperback)**



L.B. Foote was one of Winnipeg’s most influential chroniclers. His photographs of the city’s growth into a prairie metropolis, of its infamous north end, and of the labour strife resulting in the 1919 General Strike have shaped our historical impressions of the city. We know very little about

Foote himself. But, whatever his intentions or motivations, it is striking how his career paralleled that of the city he photographed.

Beginning in the early years of the 1900s and continuing into the 1950s Foote produced over 2,000 images, now housed at the Archives of Manitoba. These images capture a remarkable spectrum of life—from political rallies, industrial construction, and rural life, to leisure and family gatherings. The photographs were made in all seasons and cut across class lines. Yet, despite the length of his career and variety of subject matter, Foote’s visual legacy is defined by his earliest images, especially those depicting the living and working conditions in the years leading up to 1919.

With *Imagining Winnipeg*, Esyllt Jones seeks to re-define how we understand Foote’s photographs. Through an introductory essay and 150 carefully selected images, Jones challenges past interpretations of Foote’s work. In place of a pre-1920 focus, she argues that Foote’s later

photos need to be integrated into the historical record of his most iconic images. By considering Foote’s historical place within his entire corpus of work, this book raises important questions about the nature of photographs as evidence, the problems of placing them in historical context, and our own responsibilities as audience of the images.

The reproductions of the photographs themselves are very good, and the production quality of the book is high. Each page contains a stand-alone plate, uncluttered by text save for caption and archival reference. Of the included images, eighty-four were made after 1919. These are loosely organized by theme and chronologically. Although the images unfortunately lack an index, Jones’ essay does include references to nearly half. In the essay itself Jones deftly weaves Foote’s biography, drawing in part on his unpublished memoirs, with a more personal reflection on her interaction with photography as history. This will appeal to photographers and historians alike. For those interested in the technical side of Foote’s photography, there is less material. Jones notes that the Archives of Manitoba contains little information about how Foote worked. Still, it would be nice to have more information on Foote’s methodology and equipment, or at least more explanation of how or why this information has not survived.

The focus of the book is clearly Foote’s photographs, especially their place in Winnipeg’s history and their use in conflicting narratives of city’s past. Jones tackles each in a discussion of race, the photos’ role as evidence (for social reformers and social historians alike), and Foote’s relation

to labour and capital. The power of Foote's work rests in his uncanny ability to speak to audiences across time and place. Contemporaries embraced the photographs because of Foote's ability to mimic their own worldviews. If social reformers wanted to exploit the north end, Foote's images could do so, but he was equally capable of depicting the power of industrial development. This chameleon-like nature has obscured Foote's own intentions, but it has ensured his work's continued appeal. All sides of historical debate, for example, readily utilize his images of the Winnipeg General Strike illustrating the complex role of photographs as visual evidence in history.

How to explain Foote's longevity? For Jones the answer lies in the way we utilize images in history. These photos cannot "provide a clear window into the past," but their subject matter rarely asks us to (p. xxiii). Instead, Foote's continued appeal is his work's enigmatic quality which forces audiences to "consider the lives lived in front of his lense [sic]," lives which reveal their individuality in ways that eschew prescribed narratives (p. xxiii).

Understanding Foote's appeal does not mean we cannot be critical, and Jones readily interrogates the images' iconic status. The essay also critiques the ways in which Foote's work underpins tropes in Winnipeg's history. Most notably Jones shows how Foote's photos perpetuated the dismissal of Aboriginal Canadians, reinforcing ideas that Winnipeg, as frontier outpost turned prairie metropolis, typified Canadian "emptiness prior to the arrival of white settler society" (p. xiii).

In a few minor cases these critiques outstretch their evidence. Jones notes, for instance, that one photograph of boy scouts, who appear "physically awkward," worked to unsettle ideas of scouting masculinity (p. xiv).

It is an interesting observation, but unfortunately without evidence. If this image (or others like it) undermined period masculine ideals, it would be helpful to know how. Scouting was about development, and this image could equally be interpreted as one of boys coming into their own. Such lapses do not diminish an otherwise provocative essay, which is at its best delving into Foote's work over the *long durée*.

As Jones argues, embracing the post 1920 photographs (which form the bulk of Foote's work) also forces a reconsideration of traditional stories of Winnipeg's decline after the General Strike. Foote's images of large-scale building projects (dams, generators, and machines) highlight an emerging "modernist aesthetic" that is entirely out of place in Winnipeg's declension narratives (p. xx). So, too, are his images of the city's expanding middle class. About those it is noteworthy that commissioned portraits were a big part of Foote's business, and that his photographs of marriages form a particularly useful record of an important family ritual.

There is no single reading of what these images mean. Nor should there be. Jones' take — which reveals Winnipeggers' changing lives over a half-century — is a compelling reminder that peoples' private lives need not correspond to grand historical narratives. Foote made some of his images nearly a century ago. Their power to captivate so many years later is testament both to the quality of his work and to Jones' re-reading of it. Here's hoping this excellent collection sparks continued re-readings and reconsiderations of Foote's work for years to come.

Jonathan Scotland
Western University

**Bill Wright and Dave Craig, *300 Years of Beer: An Illustrated History of Brewing in Manitoba*. Winnipeg: Great Plains Publications, 2013, 208 pages.
ISBN 978-1-926531-71-7, \$35.00 (paperback)**



There are many books about the history of brewing in Canada, but precious few that document the industry specifically in Manitoba. Certainly none is as up-to-date as this one, which brings us well past the loss of Molson's and Labatt's, to the modern era of the new

Fort Garry, Half Pints, and Farmery brewing companies.

The book is very readable and its large size showcases the rich visuals that accompany the text. While there are very few references to lead the reader to deeper details, this book offers as complete a picture of brewing in Manitoba as the casual reader might need. Clearly the book is written for a popular rather than an academic audience, though

historians will likely find much of value in it as well. Indeed, the authors are not professional writers, a fact which becomes obvious, as the book is full of quirks of writing style, and minor typographical or editorial errors. Despite this, the book is a fun read, and one which the reader will have trouble putting down. This is partly because much of the book is written in the form of vignettes, drawing the reader through piece by piece — there's always time to read one more section!

As this book is about brewing, brewers, and breweries, this book is also about the times in which they flourished. Personal histories are woven together with corporate ones, and a feel for the context is successfully conveyed along with the details of the breweries themselves. Thematically, the book offers variety rather than a formulaic presentation. There are chapters on the major breweries like Drewry's and Shea's; chapters on specific places like the city of Brandon

and Winnipeg's Osborne Street; and also chapters on distinct periods in Manitoba's history like the prohibition era and the wave of consolidation that arrived in the 1950s, when Molson, Carling, O'Keefe, and Labatt entered the market and bought out existing breweries.

Perhaps the most attractive feature of the book is its rich illustration. The book has its origin, at least in part, in the impressive collection of brewing memorabilia owned by co-author Dave Craig. As such, the book is filled with several hundred images of bottles and labels, advertisements, historical photos, and beer accessories, all of which help to tell the stories and add to the sense of what things were like for beer drinkers in Manitoba. The book is worth its price (and more) for the visual presentation of the history of brewing in Manitoba.

If there is one thing missing from this book, the geographer in me would say that it is maps. Especially

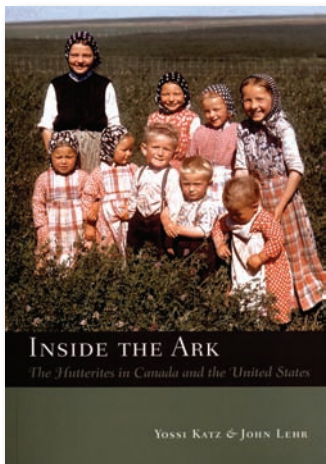
in the sections dealing with Manitoba's earliest brewing history, a sense of where things were located is hard to grasp for those not familiar with the places. Winnipeggers may know where the Redwood Bridge is, or Silver Heights, for example, but maps would greatly benefit the rest of us. Moreover, the situations and surroundings of those places in the 1800s are probably not familiar to many. Historical atlases could have been mined for helpful illustrations.

Apart from this quibble, *300 Years of Beer* is both accessible and entertaining, and is sure to please a wide audience. It is a book I would highly recommend to historians, brewery enthusiasts, and anyone wishing to think a little more about the heritage of the beverage they enjoy on Friday evenings.

Derrek Eberts
Brandon University

Yossi Katz and John Lehr, *Inside the Ark: The Hutterites in Canada and the United States*.

**Regina: Canadian Plains Research Center Press, University of Regina, 2012,
472 pages. ISBN 978-0-88977-282-3, \$39.95 (paperback)**



This is a revised and expanded English version of a text originally published in Hebrew. Yossi Katz is a professor of Geography at Bar-Ilan University in Israel, while John Lehr is a professor of Geography at the University of Winnipeg. The authors come to their task with impressive credentials, having done extensive field work over several decades at Manitoba Hutterite colonies. In a dozen

chapters, sandwiched between a prologue and epilogue, the authors provide an informative and insightful overview of the world of Hutterites. Enhancing the text is a variety of materials in appendix form and sixteen pages of illustrations in full colour.

Hutterites in North America are traditionally divided into three tribes. The most conservative are the Lehrerleut found in Alberta, Saskatchewan, and Montana. Situated mostly in these same territories are the Dariusleut who are somewhat less conservative. The more "liberal" are the Schmiedeleut colonies found in Manitoba, South Dakota, North Dakota, and Minnesota. But the diversity between the tribes and even between colonies within a particular group—particularly Darius colonies that can span the spectrum from very conservative to very liberal—makes generalizations about Hutterites more difficult. Most importantly, the Schmiedeleut underwent a significant

schism in the early 1990s, dividing into Group One, a more liberal branch led by Jacob Kleinsasser, the Senior Elder from Crystal Spring Colony in Manitoba, and Group Two, a more traditional majority group that broke away from Kleinsasser. It is Group Two that is recognized as orthodox by the other two tribes, while Group One is considered to be out of the church. In effect we now have four branches of Hutterites. Despite the wide scope suggested by the title of this book, the authors admit in the prologue that their field work is almost completely confined within Group Two Schmiedeleut colonies in Manitoba.

The first chapter on the religious foundations of Hutterite life is not a particularly readable overview, but it does make the central point that the persistence of the Hutterite way of life and the future survival of it are dependent on the religious foundations upon which the whole edifice is built. Hutterites do not believe in the value of socialism or economic collectivism in a secular sense. Their system of communal living depends on the recognition of a supernatural realm of existence, and on the belief that the colony is an ark of salvation floating in an evil world doomed to destruction.

The next chapter is a nicely written summary of Hutterite history in Europe and subsequently in North America, including several maps depicting the spread of the colonies. The authors assert that by 2010 the Hutterite population in North America had grown to over 40,000 people in 484 colonies (p. 27). It may be that the authors have underestimated the population, because the leading contemporary text on Hutterites asserts that the Hutterite population currently exceeds 49,000.¹ Appendix 1 of the Katz and Lehr text contains a helpful list of all the Hutterite

colonies in North America organized by province/state, year of establishment, mother colony and leut affiliation. Unfortunately the Schmiedeleut list does not tell you whether the colony is in Group One or Group Two.²

In Chapter 3 the authors outline the basic organizational and legal structure of the three levels of the church: the constitutional level where all three groups are brought together to deal with common issues; the conference level of each separate leut; and then finally the colony level. The norms of collective property and the renunciation of any entitlement to a share by expelled or departing members is repeatedly enshrined in the legal documents at all three levels. The chapter concludes with an overview of the litigation involving a colony in Manitoba in the 1960s where the courts denied a claim for assets of the colony by former members who had been excommunicated when they joined a different religion. The authors fail to use proper legal citations,³ and the extensive quotes from the lower court judgement that occupy about six pages of text might have been reduced and replaced by some discussion of more recent litigation and court decisions that impose on the Hutterites certain procedural requirements in their decision making.⁴ Furthermore, the willingness of the courts four decades ago to characterize the whole colony as a church may be in some doubt today.⁵

Well written and containing six maps of the layouts of some Manitoba colonies, the next chapter provides a useful guided tour outside and inside of the various residential/domestic buildings with appropriate references to the agricultural/economic areas as well. The chapter ends with a concise overview of the process of colony branching. The economy of a colony is driven by the need to establish a new daughter colony so that the population of any colony does not get too large. Obviously it requires considerable capital to buy the land and equipment and build the facilities to establish a new colony, whereupon the population of the mother colony can be divided. Once established, the process of amassing assets for a future division starts all over again at both the mother colony and the new daughter colony. Appendix 2 contains a chart showing how James Valley Colony, established in 1918, has branched out over time, establishing four daughter colonies, and how three of these daughter colonies have themselves branched out and established new colonies.

Chapter 5 provides the bulk of information on the particular rules and traditions of Hutterite life, from clothing styles to worship practices and everything in between. This chapter is particularly tied to one of the most interesting parts of the book, as found in Appendix 5: a lengthy document of 162 pages of text purporting to be the ordinances and conference letters of the Schmiedeleut up to 2009, translated from German into English. The publication of this primary source in itself is worth the price of admission to the Katz and Lehr book. Readers should be aware, however, that post-schism in the early 1990s, the document contains the legislation of only Group Two, and it would have been interesting indeed to obtain

and publish the ordinances of the “modernizing” Group One to compare with these “traditional” Group Two rules. Understandably, when a costly and painful schism takes place, the more conservative side tends to become more defensive and legalistic in reaction to the liberal side. On my reading of the document this seems to be born out, as repeated admonishments are made that the boundary stones separating the ark from the evil world must not be moved. For example, Group Two elders at one point admonish the flock that, “We will remain with all the customs that were in place when the community was set up. We are not smarter than our fathers and we won’t do better than what they left us” (p. 385-386).

The making of laws and the need to repeatedly revisit them serves to illustrate the fault lines of the community. The amount of legislation in more recent decades significantly outweighs, in volume and significance, the somewhat more quaint issues in earlier decades, where repeated legislation prohibited decoration on linoleum, or vacillated about whether or not parkas could be worn. While dress regulations remain a persistent issue through time, as do regulating engagement and marriage gatherings, in the last decades there are repeated rules and warnings dealing with colony defections, runaways, drunkenness, premarital and extramarital sex, private property acquisition, the use of various electronic devices, and the need to properly exercise the discipline of shunning.

I do wonder about the provenance of the document in Appendix 5, given that there seems to be a gap from 1997 to 2002, during a period when ordinances and admonishments appear to be a yearly occurrence. I am also curious about why six pages of Lehrerleut regulations, mostly on clothing, are thrown into the Schmiedeleut regulations in 1975 (p. 302-308). Readers should also be aware that the ordinances in this document do not constitute the complete legal system of the Hutterites. The most fundamental laws are found within the constitution of the church, the articles of association of the colony, the baptismal vows, and the 1545 confession of Peter Riedemann.⁶ The authors make appropriate reference to many of these norms in various chapters of the main text, particularly frequent quotations from Riedemann.

The economic success of colonies, based on an admirable work ethic, self-sufficiency and a high degree of mechanized agricultural production, is the subject of Chapter 6. The authors note that there is now an increased level of materialism, driven by the desire to have nicer housing and creature comforts, rather than just amass capital for future colonies. The most persistent violation of the ‘community of goods’ ideal is the private making of money on the side so as to acquire goods or services that are not provided through the collective pot, or are even illicit goods prohibited by the colony. The authors note that some Schmiedeleut colonies have added manufacturing as a significant economic activity (p. 60, p. 100), but the authors provide very little information as to the impact of factory work on traditional Hutterite norms. The move

from agricultural production to industrial manufacturing may prove to be the most significant development in recent Hutterite history, and it is regrettable that we do not have more scholarship on this.⁷

Chapter 7, on educational matters, deals with the colony kindergarten; the English public school situated on the colony; and the vital role of the German school, held before and after public school. Central to the socialization of Hutterite youth is the role of the German school teacher, who is also responsible for the supervision of young people right up to their baptism. Recently both branches of the Schmiedeleut have embraced high school (without leaving the colony), rather than ending formal education at age 15. However, much more controversial is the movement by Group One to allow some Hutterites to attend university for purposes of getting teaching credentials to teach at the public school at their own colony. On the subject of young people, we also note that in Appendix 4, Dan Katz, a religiously observant Israeli teenager of 15 years of age, gives his impressions of living and working at James Valley colony in Manitoba for a period of time. This little essay provides valuable insight into the world of Hutterite young people, from a friendly observer who is both appreciative and critical.

Chapters 8 (leisure activities), 9 (outside relations), and 10 (women), are nicely written, providing a wealth of information and analysis within a compact space. Old Order religious communities will no doubt provide a degree of humour for outside observers. The Group Two prohibition on adult recreation like playing hockey or baseball, or going to see such games, is accompanied by the views of the elders that such activity “looks ugly when they jump and hop like simple absurd tightrope artists. Playing does not lead to anything spiritual” (p. 359, p. 397). The perceived danger of Hutterite participation at various trade and agricultural conventions is illustrated when conference delegates reportedly went to a Winnipeg Blue Bomber game where “they play with uncovered and half-naked women and hug the cheerleaders ...” (p. 390).

The topic of leaving the colony is addressed in Chapter 11. While most young runaways return to the colony after a taste of freedom on the outside, the authors point out that those who leave the colony for religious reasons rarely return. In particular, conversion to charismatic evangelical Christianity centred on an intense individualistic experience of Jesus as Saviour, without the need to live in countercultural community separated from the world, is the main driving force behind many religious defections. Transition to the outside world is obviously made easier for the defector when he or she can join a new church that will help provide the material and emotional supports that make the transition easier, though the cost of being shunned by family and friends at the colony will be significant. More problematic for the Hutterites is that some of these converts will portray their conversion as an escape from cultish “slavery” and oppression, and may even institute litigation against the colony seeking compensation for past

“unpaid” labour.⁸ Even more problematic is the occasional “conversion” of the majority of a colony and the possible expulsion of the whole colony from the Hutterite Church, raising serious questions about the ownership of the colony assets and whether the wider church should institute litigation to retain the property, even though bringing lawsuits violates Hutterian non-resistant theology.

The authors actually question the future survival of the Hutterites when they assert that, “in recent years, the rate of defection has increased tremendously, and now the defection rate exceeds the birthrate” (p. 174). No footnote to contemporary data on defection is supplied, nor is there any analysis of different defection rates in Group One and Group Two colonies. Does the more “progressive” Group One have lower defection rates? Most of the demographic analysis of the Schmiedeleut found in Appendix 3 is based on data collected up to 2003. Notable trends include rising marital ages for both men and women, and significant declines in the birth rate (despite the prohibition on birth control). However, the data collected on defection rates ends in 1976, and we are not told why more recent data are not available. At another point in the text the authors state that, “During the years 2003-2005, defections exceeded births” (p. 207). The authors may well be right about this, but it would be nice to have some actual data on recent defection rates.

In the last chapter, dealing with some of the changes that have occurred within the Schmiedeleut in the last decades, the authors deal with the schism by providing a concise overview of the events up to about 1993. They then leave this story without dealing with all the post-schism mutual excommunications, litigations and negotiations between the two sides. Instead the authors focus on Group Two in terms of other issues involving changes in economic affairs, birth rate, loosening of traditional ways, education and exposure to the world.

The threats to Hutterite survival identified by the authors involve erosions of traditional beliefs by Hutterites themselves, mainly by increased exposure to alternative notions in the host society. The attempt to ban internet use, except for business purposes under controlled conditions, seems largely doomed, as the world outside becomes available through cell phones and trips to the public library. Arguably one aspect of future survival that is missing in the discussion is the possibility of a much more direct interference with Hutterite life by the host society itself. The authors assume that the laws of the host society support the Hutterite colony, based on removal of previous discriminatory practices against Hutterite land purchasing, and some old precedents where the courts have refused to give assets to defectors.⁹ In my view the stability of these precedents should not be taken for granted, although I would wish them to continue. We cannot presume that our legal system, based on ideologies of individual autonomy and equality, will continue to be benign towards illiberal religious groups within our liberal society, especially in regards to the traditional

“inequality” of women, the “oppression” of shunning, and the “unfairness” of expelling people without compensation. There are indications that freedom of religion for illiberal groups within our society is potentially much less robust than we might wish and presume.¹⁰

In the epilogue the authors are willing to offer their own opinions about the future of Hutterite communalism. While Hutterites are the most successful communal society in the world, the authors assert that, “there is no doubt that today the Ark is leaking” (p. 205). Most colonies are experiencing unprecedented wealth and material comforts, but the religious foundations of simplicity, separation, and community are threatened from within and without. If religion is the foundation of the system, and the system is in danger, then only renewal of authentic religious faith in the communal way of being a Christian in the world will save the ark from sinking. The authors make the practical suggestion that the position of the Minister of the colony should be exclusively focused on religious education and concerns, leaving the economic management to others. While much greater attention to learning and imparting the theological foundations of the faith would be a good thing, there is also a thread in all Anabaptist theology that does not separate life into spheres of spiritual and temporal, and the authority of the Minister over all areas

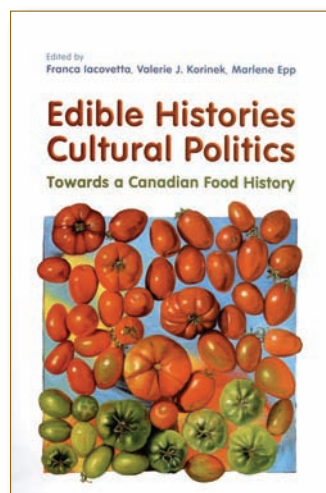
in some ways symbolizes this. Indeed the authors often mention this theme of integrating work and worship (e.g., pp. 72, 108, 116).

Overall, while the quality of the chapters is uneven, this book is essential reading for a current understanding of Hutterite beliefs and practices. Given the focus on Manitoba Group Two colonies, it will have particular relevance to scholars interested in our province. While this text was in press, another book on Hutterites was published by historian, Rod Janzen, and anthropologist, Max Stanton.¹¹ Combining narrative history with decades of participant-observations by the authors at many colonies within all four branches, the well written and comprehensive book by Janzen and Stanton will likely become the standard text to replace the now dated scholarly account by the late John Hostetler.¹² However, the Katz and Lehr book should also be read for the valuable perspectives and opinions the authors provide, and for the publication of the primary text in Appendix 5.

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Notes for this review are available on the MHS website:
www.mhs.mb.ca/docs/mb_history/73

Franca Iacovetta, Valerie J. Korinek, Marlene Epp (eds.), *Edible Histories, And Cultural Politics: Towards a Canadian Food History*. University of Toronto Press, 2012, 456 pages. ISBN 978-1-4426-1283-9, \$34.95 (paperback)



In this substantial volume of multidisciplinary studies of food in Canada, the editors begin with a thorough and frank introduction outlining the promise and pitfalls of this burgeoning field of research. They address the increasing popularity of food as a subject in popular films, literature, and social media, as well as in scholarly study. Acknowledging at the outset that “Canadian food” is impossible to define, they do not set out to create a “Canadian culinary

tradition or history,” but to explore “Canada’s diverse food cultures” from the research perspectives of their large group of contributors. The editors have organized the twenty-three essays into eight categories: contact zones, regional identities, ethnic groups, gender, commodities, politics and protests, national identities, and marketing or prescriptive programs. They also provide the background

of the symposium that brought together this diverse group of scholars and their equally diverse works: some longer essays, others shorter case studies.

In their introduction the editors offer an excellent review of important recent Canadian food history publications, including, *What’s to Eat? Entrées in Canadian Food History*, edited by Nathalie Cooke for McGill Queens University Press in 2009. *Edible Histories* can be considered a companion piece to *What’s to Eat?* as the editors of both works sought to bring Canadian culinary histories into the growing international conversation about food by engaging a group of Canadian scholars in a workshop on food history and then publishing their collected papers. While the 2009 volume contains earlier and perhaps more coastal works, *Edible Histories* is more central and prairie-driven and strongly 20th century: only two essays are pre-20th century (both 19th century), one essay addresses Atlantic Canada (Newfoundland), one British Columbia, and only two focus on francophone Quebec. Clearly there is much more research to be done in the many regions of Canada. Of course the editors of *Edible Histories* did not claim or aim to be representative or definitive, but are situating this work in a historiography in its early years, with a long way to go.

The history of foodways in Canada brings attention to sites of encounter, of exchange and adaptation, or of dominance and oppression. Food production, service and consumption are also crucial sites, if not at the centre, of gender history. As Marlene Epp wrote in her essay on Mennonite cookbooks, “For the first generation of immigrants in Canada, regardless of which historical era saw them arrive, foodways were the site at which old and new worlds met” (p. 174). Different essayists explore women’s roles as keepers of their culture and as the central figure in the process of adaptation and survival, instrumental to the well-being of the family. From an examination of Catherine Parr Traill’s experiences in Upper Canada to a study of Quebec school girls in the mid-20th century, we see women either empowered or oppressed by this role. The weight of this responsibility kept Quebec girls in their places, or was meant to, whereas, in discussing the community power of female keepers of (culinary) culture in Toronto’s south-Asian community, Julie Mehta communicates a sense of a positive aspect of this role for immigrant women by citing one student’s revelation, “I understand why my grandmother insists I eat her ghee-laden rotis and converse only in Punjabi ...” (p. 157). Other authors examine the fight of women’s organizations for fair food prices and safety, and the skill of immigrant and Aboriginal women in making do with little, highlighting the capacity of studies centred on food to valorise women’s agency.

As one reads through the collection, the tensions between second-wave feminism and health food advocates, marketers, and the proponents of traditional cultural expression emerge. Essays on Jewish and Italian families in Montreal in the 1950s to 1970s directly address the conflict between feminism and the role of women in ethnic cultural survival. Sonia Cancian writes that for post second-wave Italian women the “... responsibility for the task of ‘feeding the family’ has become a question of negotiation, rather than an assumption. This is indicative of the profound impact that second-wave feminism has had on the division of labour in Canadian households, immigrant or otherwise” (p. 216-17). Addressing another side of the immigrant experience, Franca Iacovetta looks at the history of the International Institute of Metropolitan Toronto in the 1950s and 1960s, a post-war, Anglo-Canadian women’s group, to examine their belief that, in a changing world, food was “a comparatively safe site on which to negotiate Canada’s growing ethnic diversity” (p. 360). Studying the process of adapting foodways to a changing world and changing environment, whether physical or cultural, and the resulting tensions with desires to sustain identity and/or traditional sociability raises profoundly complex and gendered issues that are crucial to any understanding of our ‘nation of immigrants.’

In some of the essays the focus is on food as a commodity: its production, distribution and sale, and efforts to prescribe or direct food choices. Studies of efforts to create and regulate markets, prescribe (and judge)

consumption, and to manipulate consumer behaviour provide insight into the processes and ideologies behind the actions of governments, food-producing businesses and collective organizations, and of scientists and theoreticians in nutrition. The language of class, culture, and gender bias found in government communications, marketing campaigns, nutrition studies, and in the writings of health food advocates reveal the cultural and social forces that shape our relationship with, and understanding of, food. This group of essays touches on the process of new identities being constructed through responses to new food ideas and choices.

The role of food producer, also fundamental to many Canadian identities, is addressed in several essays. I was struck by the powerful juxtaposition of the controversy created in cattle country by K. D. Lang’s open vegetarianism (and homosexuality) followed by an examination of the meanings behind the menu of the 1939 royal visit. All of these historical moments of Canada—of encounter, of evolving and growing government, of belief or doubt in the power of science, and of changing gender roles—come together in the history of the Canadian government’s relationship with Aboriginal peoples. The first essays in the collection described settler and First Nations encounters, introducing the disconnect between North American and European foodways. Krista Walters, in her essay on the methods and results of a federal government nutrition survey of the 1970s, addresses how Canada’s Aboriginal peoples, alienated from their traditional food sources and foodways, were measured and judged by the Canadian government.

Food history provides valuable new perspectives on many experiences of the evolving Canadian society. Long a powerful tool for the presenters of history to draw in visitors into historic places, it can be merely nostalgic when focussing on recreating past food experiences without analyzing the cultural significance of the ingredients used, the social and gender importance of the relationships of producing and consuming, and the ecological impact of this consumption. In these essays food history provides an accessible entry, often beginning with personal experience, into complex questions of social, cultural, gender, and environmental history. A collection like this can lend itself to picking and choosing, depending on one’s specialization or question, but I strongly advocate reading the entire work. Although the essays cover a very wide range of subjects, questions unanswered in one essay rise again in another, so that a cumulative discussion of several key questions unfolds. As the papers came from a workshop, the authors speak to each other’s works, strengthening the collective arguments. Creating one coherent work from this wide range of studies, the editors have made a valuable contribution to our understanding of the role of food history in Canada and, through it, of Canadian society.

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Cool Things in the Collection:

Influence of the Hudson's Bay Company on the Urban Development of Winnipeg

by Abigail Auld
Winnipeg, Manitoba

The histories of Winnipeg and the Hudson's Bay Company (HBC) are closely bound. Upper Fort Garry, one of the HBC's earliest posts, contributed largely to the city's early growth. Today, Winnipeg plays a significant role as geographic home of the Hudson's Bay Company Archives at the Archives of Manitoba. This longstanding relationship is evident in the wealth of Winnipeg-related HBCA holdings including maps, architectural drawings, photographs and business records. Together, this material draws attention to the profound influence the HBC has had on Winnipeg's urban development. Early maps delineate HBC-owned property. Architectural drawings present numerous built and unbuilt HBC buildings. Newspaper clippings and correspondence concerning municipal development document HBC officials' involvement in local civic affairs. The following records drawn from the HBCA demonstrate both the breadth of material available and pervasiveness of the HBC's impact on Winnipeg's built environment.

Land Ownership

The HBC transferred control of Rupert's Land to the British Crown with the 1869 Deed of Surrender after two centuries of proprietorship. As part of this agreement the HBC received monetary compensation, a percentage of township lots across the western fertile belt, mineral rights and land holdings surrounding each HBC post. This amounted to 450 acres around Upper Fort Garry that was known as the HBC Reserve. The Reserve occupied much of the land within Winnipeg when the city was incorporated in 1873. Along with other large landowners (though no holdings compared to those of the HBC), the company resisted incorporation. In 1874 the HBC paid \$595,312 in taxes, contributing significantly to Winnipeg's infrastructure improvements, which were almost non-existent at the time.²



Abigail Auld completed an MA in Cultural Studies, specializing in Curatorial Practice, at the University of Winnipeg. She also holds a Bachelor of Design (Environmental) from the Ontario College of Art and Design. She has exhibited her curatorial work in the solo project WPGxHBC, based on research conducted during a practicum at the Hudson's Bay Company Archives.



HBCA-A12-L-140-2-4-fos.04 &26.

These portions of a larger map show Block One of the HBC Reserve, which was divided into four blocks. Block Two (between Assiniboine, Broadway, Main, and Kennedy) was developed as an upper-class residential neighborhood, whereas Blocks Three and Four (between Broadway, Notre Dame, Main, and Colony Creek) became mixed business-residential areas. Block One, which was plagued by flooding and difficult to develop, became a shantytown in the 1870s.¹

Transportation Infrastructure

The Red River and Assiniboine Bridge Company, a subsidiary of the Hudson's Bay Company, built the first two traffic bridges in Winnipeg. The Main Street Bridge, built in 1881, was operated by the company for only a year before being purchased by the City of Winnipeg. On 15 April 1882, the company opened a second bridge that extended Broadway across the Red River. The company

The HBC and Winnipeg's Development

operated the Broadway Bridge until 1909 when it was sold to the City of St. Boniface for \$59,000. The Broadway Bridge continued in operation until 1917 and was replaced by the Provencher Bridge in 1918.³

Soon after the Manitoba Provincial Legislature was completed in 1920, planning began for a grand boulevard approach to building. The City of Winnipeg orchestrated a series of exchanges between landowners that included private citizens, the Province of Manitoba and the Hudson's Bay Company. Construction on Memorial Boulevard began in 1925, with the HBC covering the cost of local improvements on both sides of the street along its frontage.


Built/Unbuilt

While the HBC's commercial presence is still visible at Portage and Memorial, its original retail location in Winnipeg remains somewhat inconspicuous. The Company's first department store in the city opened in 1881 at the corner of Main Street and York Avenue. While the warehouse-like structure no longer exists, the store's powerhouse still stands in the lane south of York Avenue between Main and Fort Street. The powerhouse was built by local architect John Woodman in 1906 and supplied energy to various surrounding HBC buildings including Hudson's Bay House, built in 1910 (now Gibraltar House), and executive offices at Main and Broadway (just east of the Manitoba Club) and at 208 Main Street.⁴

In 1928, Barott and Blackader Architects, the firm that built Winnipeg's 1926 HBC store, prepared preliminary plans for a complex of apartment blocks. The project site spanned Assiniboine Avenue, from Main Street across the old Upper Fort Garry site and behind the Fort Garry Hotel to the west side of Garry Street. Having owned this land since 1869, the HBC was eager to find a developer. These plans were prepared and mounted in the HBC Land Offices in an attempt to entice investors with the land's development potential. The proposal consisted of a sketch perspective drawing, a general site plan showing the layout of eleven apartment blocks amongst landscaped gardens and tennis courts, and detailed floor plans for spacious three- to five-room apartment suites. While the blocks were never built, their grandeur is in keeping with the type of residential development the HBC helped attract to the surrounding neighbourhood.

While these records represent just a small sample of the HBC's presence in Winnipeg, many more can be discovered in the HBCA's holdings. These glimpses of the past reinvigorate an ordinary walk through Winnipeg's city centre, revealing aspects of the HBC's influence in the grid block pattern, familiar HBC street names and remaining Company buildings tucked away on side streets and back lanes.

Completed as part of a larger project entitled WPGxHBC, this research was conducted during a practicum with Debra Moore at the HBCA, Archives of Manitoba. The project also included a website (www.wpgxhbc.com), display windows at the HBC downtown store, a Jane's Walk tour, postcards,

buttons and a self-guided walking tour map. The practicum was part of the University of Winnipeg's MA in Cultural Studies, Curatorial Practices Program. 

Notes for this article
are available on the MHS website:

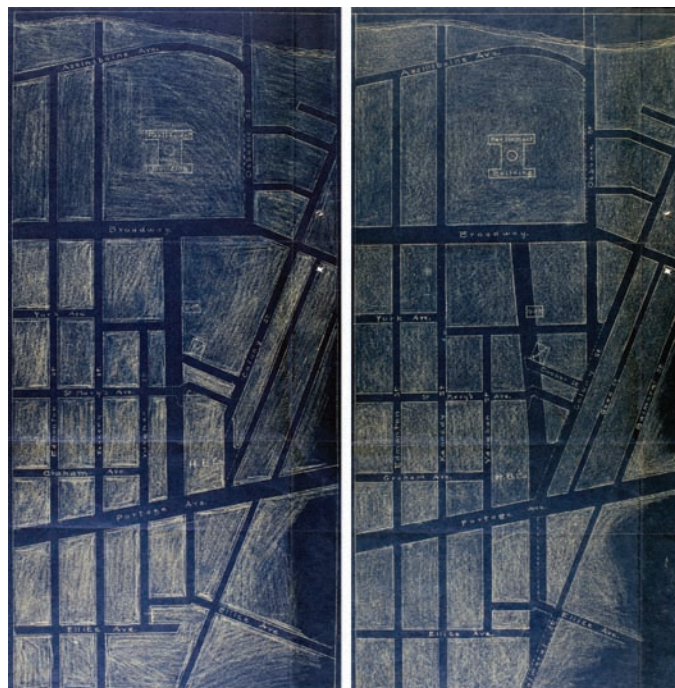
www.mhs.mb.ca/docs/mb_history/73

or scan the QR code at right
to go directly to the notes.



Hudson's Bay Company Archives, 1987-363-W-200-17a.

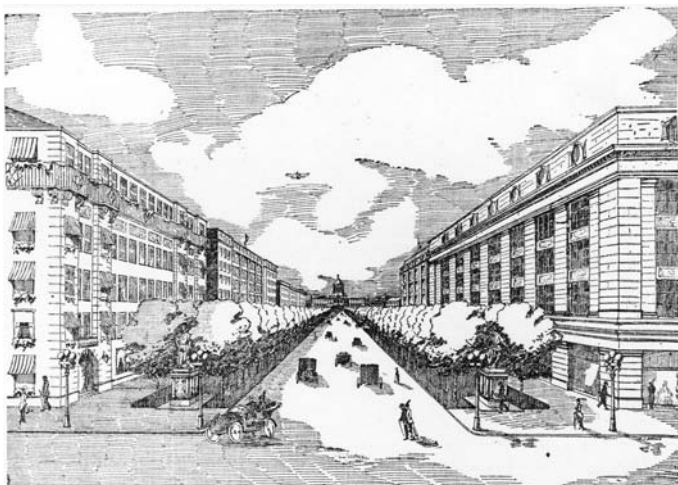
The Main Street Bridge, built by the HBC in 1881, crossed the Assiniboine River south of Upper Fort Garry.



Hudson's Bay Company Archives, RG2-7-411-sheets-4a&b.

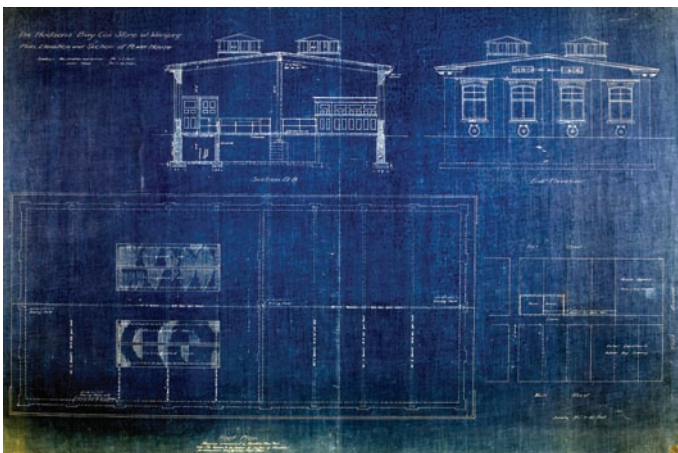
These sketched blueprints show two variations of the Memorial Boulevard approach. The left plan shows a straight mall with the proposed HBC property at the southwest corner of Portage and Memorial. The right plan is an example of the crooked mall with Osborne extending into Colony Street.

The HBC and Winnipeg's Development



Archives of Manitoba, Legislative-Building-Broadway-Competition-5.

An early Memorial Boulevard Plan by architect John D. Atchison is shown in this clipping from the *Manitoba Free Press*, 20 September 1913.



Hudson's Bay Company Archives, RG1-87-47-7a.

The Hudson's Bay Company store at Winnipeg, Plan, Elevation and Section of Power House, including site plan in relation to HBC retail buildings on Main Street & York Avenue, 1906.



Abigail Auld

The site of Winnipeg's first HBC retail store is shown in a 2013 re-photograph of HBCA-1987-363-W-305a.



Abigail Auld

HBCxWPG display at the Portage & Memorial corner of the Hudson's Bay Company store in Winnipeg.



Hudson's Bay Company Archives, RG2-7-478.

The Fort Garry Hotel and Manitoba Club on the right and the Assiniboine River in the distance on the left, viewed from Main Street, are shown in this sketch from Barott and Blackader Architects' plans.



Leif Norman

HBCxWPG Jane's Walk in downtown Winnipeg on 4 May 2013.

